



BPYG-171

APPLIED ETHICS



**SCHOOL OF INTERDISCIPLINARY AND TRANS-DISCIPLINARY STUDIES
(SOITS)**

**INDIRA GANDHI NATIONAL OPEN UNIVERSITY
NEW DELHI**

EXPERT COMMITTEE

Prof. V. T. Sebastian,
Visiting Professor, JNU
& Professor of Philosophy, Punjab
University, Chandigarh

Dr. Sudnya N. Kulkarni,
Department of Philosophy
Janki Devi Memorial College,
University of Delhi

Dr. Amit Kumar Pradhan,
Department of Philosophy
Ramjas College, University of Delhi

Dr. Bins Sebastian,
Department of Philosophy
St. Stephen's College,
University of Delhi

Mr. Sumesh M. K.
Department of Philosophy
Faculty of Arts, University of Delhi
SOITS, IGNOU
SOITS FACULTY

Prof. Nandini Sinha Kapur, Prof. B. Rupini, Prof. Shubhangi Vaidya,
Dr. Sadananda Sahoo

Dr. Ruplekha Khullar
Department of Philosophy
Janki Devi Memorial College,
University of Delhi

Dr. Meeta Nath,
Department of Philosophy
Ramajs College, University of Delhi

Dr. Garima Mani Tripathi
Department of Philosophy Mata Sundri
College for Women, University of Delhi

Dr. Vijay Kumar
Department of Philosophy, Shyama Prasad
Mukherjee College for Women,
University of Delhi

Ms. Priyam Mathur,
Consultant (Philosophy),

COURSE PREPARATION TEAM

BLOCK	UNIT WRITER
Block 1 Introduction to Applied Ethics	
Unit 1 Introduction to Applied Ethics	Dr. Tarang Kapoor
Unit 2 Bioethics	Ms. Shruti Sharma
Unit 3 Environmental Ethics	Dr. Pragati Sahni
Unit 4 Ethics and Technology	Dr. Walter
Block 2 Ethical Debates	
Unit 5 Euthanasia	Dr. Sudnya N. Kulkarni
Unit 6 Suicide	Ms. Arushi Singhal
Unit 7 Reproductive Rights	Ms. Mahak Uppal
Unit 8 Terrorism	Dr. Joy Kaippananickal
Unit 9 Capital Punishment	Dr. Sudnya N. Kulkarni
Unit 10 Animal Rights	Mr. Ikbal Hussain Ahmed
Block 3 Introduction to Professional Ethics	
Unit 11 Introduction to Professional Ethics	Ms. Rinki Jadwani
Unit 12 Media and Cyber Ethics	Mr. Mohammad Irshad
Unit 13 Medical Ethics	Ms. Vineeta
Unit 14 Business Ethics	Ms. Deepti Sinha
<u>CONTENT EDITORS</u>	
Dr. Sudnya N. Kulkarni, Janki Devi Memorial College, Delhi	
Dr. Shridha Shah, Hindu College, University of Delhi	
<u>FORMAT EDITORS</u>	
Prof. Nandini Sinha Kapur, SOITS, IGNOU, New Delhi	
Dr. Ashutosh Vyas, Consultant (Philosophy), SOITS, IGNOU, New Delhi	

PROGRAMME COORDINATOR

Prof. Nandini Sinha Kapur, SOITS, IGNOU, New Delhi

Academic Consultation: Dr. Ashutosh Vyas, SOITS, IGNOU

PRODUCTION TEAM

Content

Block 1 Introduction to Applied Ethics

Unit 1 Introduction to Applied Ethics

Unit 2 Bioethics

Unit 3 Environmental Ethics

Unit 4 Ethics and Technology

Block 2 Ethical Debates

Unit 5 Euthanasia

Unit 6 Suicide

Unit 7 Reproductive Rights

Unit 8 Terrorism

Unit 9 Capital Punishment

Unit 10 Animal Rights

Block 3 Introduction to Professional Ethics

Unit 11 Introduction to Professional Ethics

Unit 12 Media and Cyber Ethics

Unit 13 Medical Ethics

Unit 14 Business Ethics

COURSE INTRODUCTION

Applied Ethics is a 6 credit generic course. It is primarily for the learners of streams other than philosophy.

Applied ethics is a philosophical enquiry into the process of making ethical judgements in many of the specialised provinces of human endeavour that represent uniqueness, complexity, at times novelty and often dilemmas that rarely mark their presence in normal walks of life. Intent of such an enquiry is to understand and, if needed, develop theoretical frameworks and general principles that can form the foundation of ethical judgements in such domains of human enterprise.

Ethical judgement, at its core, concerns with demarcating what constitutes right or good or morally permissible. Alternatively stated, it essentially is an attempt to determine the interests that ought to be harboured and the acts and behaviours that ought to be exhibited to pursue such interests. It is, therefore, a question of value judgement where some interest, acts and behaviours are accorded precedence over the other, but an equally significant concern, if not more, is to understand *how* such value judgements are made.

It wouldn't be uncommon to find more than one way to arrive at such judgements. Lying or stealing in general, for instance, is considered an unacceptable practise, but the basis for arriving at such a conclusion may differ from people to people across societies. Does it imply that all such modes of judgements assume equal legitimacy, or should there be some specific mode that needs to be accorded precedence over others? For instance, should we rely on our intuitions or basal urges to guide our judgement, or should we surrender to our socio-cultural and religious conditioning to assign values to our choices, or should we rely on some form of final authority to make that judgement for us. It may so happen that relying on such modes, often morally correct judgements are arrived at, but arriving at an appropriate end may not be sufficient to consider any of such modes to be a reliable tool of ethical judgement, for their unreliability quickly unfolds the moment one is presented with situations that are relatively complex. The same practices of lying and stealing, for instance, in different contexts, may present complexities that may not afford such an easy judgement. Lying or stealing *to save lives*, for example, does put us in a relatively more difficult position to make a judgement. It is not implied here that in complex contexts as the one stated above, such modes are necessarily bound to fail in pointing to the appropriate moral option. It only means there is no dearth of burgeoning complexity where such modes eventually crumble. The question, it

must be recognised, is also not of simplicity or complexity in making such judgements. Instead, it is about developing or the need for developing a sound basis to arrive at such judgements regardless of the simplicity or complexity of the scenario.

An alternative, therefore, is to rely on our rational faculties and try to come up with general principles that can be relied upon to make such judgements, an option that *Ethics*, a subdomain of philosophy, exercises. In doing so, it relies on argumentation as the instrument of justification, enough scepticism to probe the edifice of any belief and an uncompromising resolve to walk the tight ropes of logic. Applied ethics does the same in the context of some of the specialised domains of human endeavour that often involve practises that represent a departure from the regular we experience and participate in, yet such practises have significant ethical implications that merit a philosophical scrutiny. The uniqueness, novelties and dilemmas from such provinces often hold the potential to reshape the existing understanding of concepts, principles, and theoretical frameworks within the field of ethics

This course is an attempt to introduce some of the key ethical issues, debates and dilemmas that emerge from such provinces and highlights some of the attempts to develop theoretical framework and general principles to address them. Some of these specialised provinces that deserve particular attention and therefore have been accorded the same in the course are '*bio-ethics*', '*environmental ethics*', '*ethics and technology*', '*media and cyber ethics*', '*medical ethics*' and '*business ethics*'. The course, in addition to the forgoing general treatment of the domains, separately discusses some of the key ethical issues and the associated dilemmas that hold special significance in some of the mentioned domains such as '*euthanasia*', '*reproductive rights*' and '*animal rights*'. Some issues that can't be pinned down to any of the stated domains yet raise some significant ethical questions that merit a space of their own, such as, '*suicide*', '*capital punishment*' and '*terrorism*' have also been accorded a place in the course.

The reader is expected to understand these domain-specific ethical issues, the challenges they pose to some of the conventional understanding of concepts such as life, privacy, personhood, consent, confidentiality and freedom of speech and expression, and finally various theoretical frameworks developed to address these issues and dilemmas.

Note on Referencing Styles: Since there are many referencing styles, such as MLA, Chicago etc. the students can find that the referencing in the units of this course appears to be slightly different.



BPYG-171

Block 1

Introduction to Applied Ethics

Block Introduction

Block 1 “Introduction to Applied Ethics” comprises of four units. This block presents and explores the possibilities and plausibility of ethics and ethical theories in the practical and day-to-day life issues, dilemmas and problems.

Unit 1 “Introduction to Applied Ethics” is an attempt to contextualize Applied Ethics as a discipline under the broad field of Ethics, to define key terms in the field of ethics, to discuss main approaches of the study of ethics, and also to discuss the problem of method and justification in applied ethics. Keeping in mind that this course is meant for the students of other disciplines, this unit attempts to present key concepts of ethics or moral philosophy.

Unit 2 “Bio-ethics” explores the concept of Bioethics and its core issues. This unit also tries to analyze and evaluate ethical conflicts arising out of advancements in the field of medical technology and contemporary challenges, arising due to relationship between humans and the environment.

Unit 3 “Environmental Ethics” tries to present, discuss and analyze environmental ethics, and approaches to environmental ethics. This unit seeks to find principles and concepts, formulae and norms in order to determine the morality of actions concerning nature.

Unit 4 “Ethics and Technology” tries to explore the possible engagement between Ethics and Technology. This unit discusses and analyses the concept of technology, the concept of innovation, relation between technology and innovation, internal and external values involved in the technology, etc.

UNIT 1 INTRODUCTION TO APPLIED ETHICS*

Structure

1.0 Objectives

1.1 Introduction

1.2 Basic Concepts

1.3 Introduction to Applied Ethics

1.4 Applied Ethics: Definition

1.5 Approaches to understand Moral Content

1.6 Problem of Method and Justification

1.7 Analysis

1.8 Let us Sum Up

1.9 Key Words

1.10 Further Readings and References

1.11 Answers to Check your Progress

1.0 OBJECTIVES

Applied Ethics or practical ethics is a field which is encountered by us in each and every sphere of our lives. The objective of the present unit is:

- Contextualise Applied Ethics as a discipline under the broad field of Ethics.
- Establish the distinctive nature of ethical inquiry as a normative study
- Define the key terms used in the field of ethics
- Discuss the three approaches to the study of ethics

* Dr. Tarang Kapoor, Assistant Professor, Department of Philosophy, Daulat Ram College, University of Delhi.

- Analyse the approaches to understand moral content
- Discuss the problem of method and justification

1.1 INTRODUCTION

It is believed that applied ethics has the goal of resolving practical problems by implementing general moral theories. However, it is observed that it is not possible to have a straightforward movement towards practical judgements by appealing either to moral theories or any general moral principles (such as “one ought not to inflict harm or risk of harm”; “one ought to treat people fairly and with equal respect”; etc.). That is why there appears to be a gap between “theory and practice”. Theory and principles should always be supplemented by human experiences, right action, motivation, and the like. Peter Singer argues that ethics should not be viewed as an ideal system that is only noble in theory but not in practice. The meaningfulness of ethical judgements lies in the fact that they guide our practice. However, in situations involving dilemmas, moral rules may conflict. Let us define a few key concepts, which are related to the field and are frequently used in any discussion on ethics.

1.2 BASIC CONCEPTS

1.2.1 Morality

Morality comes from the Latin word *moralis*. It signifies a body of standards or principles derived from a code of conduct of a particular philosophy, religion or culture, or from a standard that someone believes should be universal. It is also referred to as the empirical knowledge of moral phenomena in the life of an individual and in the structure and functioning of a society. Moreover, another way of understanding morality is to see it as synonymous with ‘goodness’ or ‘rightness.’ Morality is the differentiation of decisions, actions, and intentions between the ones that are ‘right’ or ‘good’ and the ones that are ‘wrong’ or ‘bad.’ Morality in a descriptive sense incorporates the social mores, codes of conduct, and cultural or personal values. Simply put, morality refers to Rules and Duties that govern our behaviour, such as: “Do not hurt people”, “Be fair”, “Respect others”, “Always tell the truth”, and several others.

1.2.2 Values

Values are our judgements about what is important in terms of the end and goal of human life. Values can be understood as those states of affairs which are desired by and for people. At the level of individual as well as the society we work towards increasing them. Examples include Health, Wealth, Happiness, Freedom, Equality, Welfare, Justice, Democracy, Rule of Law and others.

1.2.3 Virtues

These are the required characteristic traits which are desirable for both the individual as well as for the good functioning of the society. Examples include Courage, Self-control, Justice, Temperance, Wisdom and others.

1.2.4 Ethics

Ethics comes from the Greek word *ethos*, meaning character. As a science of character ethics systematises and recommends concepts of right and wrong behaviour. It seeks to resolve questions of human morality by defining concepts, like 'right', 'wrong', 'good', 'bad', 'vice' and 'virtue' and several others. In this sense Ethics is also defined as "the philosophy of morality" or a "philosophical study of morality" i.e. an academic study of morals, duties, values, and virtues with an aim to find their theoretical relationships. The discipline raises and answers several questions, like, What is right or wrong in human conduct?, What allows us to judge any person or action as good, bad, right, or wrong? How do we make moral decisions and judgements? Which theories of conduct are valid or invalid, and why? Are there universally applicable principles or laws, or should each situation be decided on its own? Are our actions like, helping, stealing, killing, compassion, lying, donating, cheating, and others right or wrong, and why or why not? Ethics guides us about the right ways to live our everyday life by delineating rules, principles and values. In this sense it also investigates whether morals, duties, values and virtues work in practice or not. In ordinary language the words ethics and morality are also used in an interchangeable manner.

1.2.5 Ethical Laws/Principles

These are the general concepts used to sum up a range of morals, values and virtues, in order to derive moral imperatives. All our actions are tested against Ethical Principles.

There are primarily three approaches, which can be adopted to study ethics:

1.2.5.1 Descriptive Ethics: Descriptive ethics is the study of morality from a scientific point of view. Here, the description and explanation of the moral life focusses on the way it is manifested in one's moral experience and society's moral code. Descriptive ethics is the scientific study or the empirical knowledge of moral phenomena in the life of an individual and in the structure and functioning of the society. This branch of ethics takes into account the beliefs people hold about morality and conceptual models in order to gain insight into the moral phenomena, behaviour, and thinking. This type of ethics looks into the decision-making process of people based on which actions are categorized as right or wrong, and the characteristics of moral agents are judged as virtuous/vicious.

1.2.5.2 Normative Ethics: Normative ethics studies the systematic construction of a valid ethical system (a set of moral standards of evaluation and moral rules of conduct applicable to all mankind). Here the task is to evaluate what is right or wrong and lay out moral rules for actions, behaviour, and ways of life. The purpose of normative ethics is to discover or construct a consistent system of moral norms that stands valid for everyone. The objective of ethical theories is to guide us to know and perform what is morally right and to avoid what is wrong. Some significant normative ethical theories are;

- **Deontology:** Deontology is a duty-based ethics. We have a moral duty to do things which are right and to not do things which are wrong. According to Immanuel Kant moral principles and laws guide the individual's choices of what they ought to do. Kantian reasoning is called non-consequentialist or deontological since it does not look at the consequence but rather considers the law or duty which governs our actions. In *Groundwork of the Metaphysics of Morals* (1785) Kant grounds our duty and morality in rationality itself. He postulates the first formulation of the Categorical Imperative, which argues that one must act in such a manner that one can simultaneously will that the maxim of one's action (the reasoning which guides our intention) should become universal law.
- **Consequentialism:** According to this view, the consequences or results of one's actions are regarded as being the ultimate basis for any judgment about the rightness or wrongness of that particular action. According to classical Utilitarianism, given by Bentham (1823) and Mill (1863), happiness is the

only consequences which matters. That action is said to be right which brings about more happiness in comparison to any other action in the given situation. The good entails in the greatest good of the greatest number by minimizing pain and maximizing happiness.

- **Virtue Ethics:** Morality is not just about the consequences or abiding by moral laws and duties, instead it is about the virtuous character. Ancient Greek philosopher Aristotle emphasises a study of human nature i.e. certain characteristic virtues that we value in ourselves and others. He focuses on what and how to be a good person and explains that to live a meaningful life people should develop good virtues of character, like, honesty, integrity and courage and the like.

1.2.5.3 Meta-ethics or Analytic ethics: Meta-ethics or analytic ethics is considered to be logically prior to normative ethics since its subject matter of inquiry are the very presuppositions of normative ethics. It does a two-fold inquiry; the first task is a semantical and conceptual analysis, to be undertaken in order to analyse the meaning of the terms, i.e., words and sentences, used in moral discourse. The second task is a *Meta* inquiry into the nature of ethics itself, to be undertaken in order to analyse the logic of moral reasoning.

1.2.6 Is-Ought Gap

Unlike the descriptive statements which are assertions about the physical world of senses (consisting of space, objects, time and causation) and laws governing it, the normative statements are assertions about what is good, right, wrong, and what should be done. Descriptive statements are verifiable by observation through listening, touching, looking, smelling or tasting by the help of our five sense organs. It is evident that the criterion of truth, which applies to factual statements, does not apply to normative statements since they include value judgments, prescriptions and commands. This gap is also known as the “is-ought gap” i.e. it is not possible to derive an “ought” from an “is.” It tells us that normative statements cannot be derived from any collection of facts without a previously accepted normative statement as premise (Newton, 2013, 5).

1.3 INTRODUCTION TO APPLIED ETHICS*

Applied ethics is a branch of philosophy whose subject matter is the application of moral rules, principles, or concepts to real life issues like, Euthanasia, abortion, surrogacy, and several others. The term “applied ethics” or “practical ethics” has recent origins as it gained prominence during the 1970s when philosophers, theorists, and academicians started using ethical theories and moral philosophy to address persistent problems of society. It was in the 1960s and 1970s that the discipline of philosophy came into contact with professionals in various other fields, like, medicine, law, business, engineering, scientists, designers and others. This interaction led to the generation of interest in professional ethics and related issues, leading to the development of fields such as medical ethics and business ethics.

Applied ethics derives its intellectual stimulus from moral philosophy and aims to provide solutions to emerging moral problems in society. For instance, there has been a history of civil rights, human rights and social rights movements. Many individuals in the fields of law, theology, political theory and professionals working in the fields of media, business, and engineering have addressed issues in applied ethics from time to time.

There is a wide array of topics that form the subject matter of Applied Ethics and these topics can be traced to ancient times; in every society individuals are affected with a wide range of concerns about individual liberty, social equality, injustice, abuse of the marginalised groups and other interrelated matters of justice, equality and parity. Philosophers have not only developed moral theories about right, good, virtue and other interrelated concepts, but they have simultaneously discussed moral problems as well. However, it should be noted that no major philosopher throughout the history of moral philosophy has developed a method of applied ethics. The concern of applied ethics is practical in nature rather than being merely theoretical. There has been a persistent gap in the theoretical and practical spheres as one fails to understand the application of the theory to generate public policy and resolve moral problems. Applied ethics deals with the real-world actions and their moral considerations in the areas of public and private life and others, like, health, relationships, law and more. It discusses issues such as abortion, protection of human and animal subjects in research, affirmative action, moral issues in the workplace, privacy, freedom of information, obligation

* For the purpose of definition, problem of moral content and methods of justification this unit has primarily referred to Tom L. Beauchamp’s article “The Nature of Applied Ethics.” It is advisable to refer to this article for a detailed exposition.

to future generations, intellectual property right, discrimination based on race and sex, environmental concerns, animal rights and others. Rajendra Prasad's paper "Applying Ethics: Modes, Motives and Levels of Commitment" discusses about logistics of applying ethical principles, the motivation their application requires as well as the levels of commitments involved in their application.

1.4 APPLIED ETHICS: DEFINITION

According to Gert applied ethics is defined as the systematic application of general ethical theories to particular moral problems (Gert, 1982, pp. 51-52). Whenever one is in the situation of a moral dilemma, application of ethical theories can pave the way for action. Moral Dilemmas are situations where an individual is faced with crucial questions, like, What ought I to do? What is the morally right thing to do? etc. Moral Dilemmas involve conflict in decision making in real (past and present) events or future possibilities, moral outcomes of drawing a certain legal document and other such situations. For example, in the issue of Euthanasia or mercy killing the pertinent dilemma faced by policy makers, medical practitioners, legal experts are, Whether one has the right to die with dignity? Whether the doctor has the moral obligation to respect patient's right to life? If the patient lacks the capacity to make a decision about their own life then who should be allowed to take a decision on their behalf? Whether there can be a duty to die? And such questions. Similarly, in Business Ethics there can be possible conflicts between the rights and the obligations of the consumer and the producer of goods, the conflicts related to the rights of the employer and employees also take various forms. In media ethics there is a conflict between the individual's right to privacy and the public right to get information; the consumer's right to information and provider's obligation to exercise restraint in the distribution of information. Other areas where similar conflicts appear are environmental ethics, legal ethics, computer ethics and several other spheres related to personal, professional, social, political, and economic lives of individuals. Eventually substantive, normative and metaethical considerations also tend to enter the domain of Applied Ethics.

The supporters of the definition presented by Gert believe that applied ethics implements either general moral norms or theories to resolve practical problems. Argument and analysis are considered the primary tools for examining moral problems. However, on close observation we gather that it is not possible to make practical judgments by appealing either to moral theories or principles. Instead, moral theories and moral principles must be

supplemented in some way by particular cases, like, right action, empirical data, organizational experience, and others. Traditionally, it is observed that general theories address speculative and conceptual philosophical problems which are disengaged from practice. The job of an ethical theorist therefore, has been to explain and justify morality in order to clarify moral concepts, examine moral judgements and arguments and to array basic principles of morals. Traditionally, their job is not to use normative theories in order to solve practical moral problems. As already discussed above there is always an implicit/explicit gap between theory and practice because it is always questionable how theory can be supplemented by practice. Therefore, it is argued that applied ethics “as the application of general ethical theories to particular moral problems” is a narrow definition which neither defines the appropriate method nor the content of applied ethics.

However, “a weaker and more defensible view is that “applied ethics” refers to any use of philosophical methods to treat moral problems, practices and policies in the government, professions, technology and the like” (Beauchamp, 2008, p. 3). But the limitation of this definition is that this use of philosophical methods neither commits one towards the role played by general theories nor to ‘problem solving’ as a goal. Few academicians even equate “applied ethics” with “professional ethics.” Professional Ethics comprises of rules followed by members of a profession to govern their own practice. Yet, there are many problems which extend beyond professional conduct but turn out to be potent issues of applied ethics, like, abortion, allocation of scarce medical resources, pornography, hate crimes, intergenerational justice, domestic abuse, child sex abuse and others; and this seriously limits the scope of this proposed definition.

These conceptual questions with regard to the nature of “applied ethics” show us that applied ethics is a difficult notion to define and therefore we should delve into a detailed understanding of both the content and the methods of applied ethics to get a fuller view of its domain of inquiry.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Write short notes on the following topics:

A. Morality

B. Normative Ethics

2. Define Applied Ethics.

1.5 APPROACHES TO UNDERSTAND MORAL CONTENT

As far as the appropriate sources of content in applied ethics are concerned, there are three influential answers quoted in the literature: an internal account, an external account and a mixed internal-external account. These are as follows:-

1.5.1 Internalism

The question which often comes to our mind is, Are there internal standards for professional and institutional morality? Internalism argues that ethics ought to be derived from professional-institutional and group ethos. Alasdair MacIntyre holds that in a “practice”, “goods internal to a practice” are achieved by engaging in the practice with a cooperative arrangement and conforming to its standards. Each and every profession traditionally has a set of standards which are internal to it. They determine what it means to be a good practitioner in that particular domain. However, traditional as well as professional standards do not guarantee that internal morality would be coherent and acceptable. On several occasions it is observed that internal standards are indefensibly rigid and authoritarian and therefore it is imperative that an internal morality should evolve with social changes. Beauchamp has agreed to Brody and Miller’s suggestion that there is an utmost need of reevaluation and reconstruction from time to time (Beauchamp, 2008, p. 4).

1.5.2 Externalism

Another question which often comes to our mind is, Are there external standards for professional and institutional morality? External morality incorporates norms that sustain and supplement norms of an internal morality. This concept maintains that precepts in settings of applied ethics rely upon and require justification by external standards such as those of public opinion, law, the common morality, religious ethics and philosophical ethics. Ethical theories provide the adequate basis for applied ethics. Over the years, law, religion and philosophical theories have served as sources of external morality. The benefit of a single ethical theory is that it provides a background and a framework which can help mitigate the dispute among conflicting parties. However, there are several questions that can be raised on Externalist account, viz. Which moral theory is morally authoritative over others? How a particular philosophical theory is used to criticise internal standards or address a difficult moral problem? Can informed individuals reject an authoritative theory? After developing a consensus that a particular ethical theory is appropriate for this task we should work constructively in the domain of practical and policy questions by progressively making the norms in the theory more specific (Beauchamp, 2008, p. 5). However, at present no such theory or a general consensus has emerged.

1.5.3 Mixed Internalism and Externalism

This approach incorporates the elements of both Internalism and Externalism. Different cultures and groups have different sets of moral commitments. On the one hand internal morality fixes moral standards by membership within a profession or group on the other hand external morality fixes moral standards owing to the external broader cultural community. If necessary, professions and institutions are expected to reform their practices so that the prevailing moral rules of the larger society will be honored in practice. These social standards will vary from society to society.

Although this account shows us the relation between external and internal moralities, it also has many weaknesses. When we emphasise diversity we overlook basic similarities and neglect the common moral goals that exist among people i.e. many professions share the same moral perspective and shared norms of professional practice. Also, the theory overstates the degree of shared agreement which makes a community cohesive as they are composed of subgroups with different moral points of view. Furthermore, the mixed internist-externalism

account precludes all kinds of cross-cultural and cross community judgements. This account is unable to explain, justify and criticize public policy and hence unable to apply ethics to our deepest social problems.

1.6 PROBLEMS OF METHOD AND JUSTIFICATION

There are several methods or models of justification in applied ethics. Let us discuss following three methods:

1.6.1 Top-down models

These models apply the pre-existing norms to new particular events/situations available in front of us. This model confirms the way in which virtually all persons learn to think morally: its method involves applying a general rule or principle to a case that falls under the rule. These models follow a deductive form in “applying” the rule. They take the following deductive form:

- (1) Every act of description A is obligatory;
- (2) Act B is of description A. Therefore;
- (3) Act B is obligatory.

This model/approach considers that a single principle can be used to decide the rightness/wrongness of actions. There are several problems with moral priority given to pre-existing moral laws. Many times, it is required that the application of the moral norms has to be preceded by making the norms themselves more specific. This should be done before a particular instance is brought under an all-encompassing principle. We should check previous precedents in order to give weight to rules, theories and principles. The important theories of normative ethics have already been discussed above; Utilitarianism believes an action is right if it maximises overall goodness, Kantian ethics accepts it to be right if it does not violate imperatives of rationality or respecting persons, Virtue theory adheres with what would be done by an ideal virtuous person in a morally dilemmatic situation.

Furthermore, these theories might not hold consistently for various reasons. No general norms might clearly be applicable in any particular circumstance as every situation is unique in itself. Therefore, moral norms applied on a particular event/situation may give inconclusive results. For example, if we look at Utilitarian justification we would realise that

many a times it might take certain things to be morally justified despite of the fact that maximum number of people might be wrong about what their happiness consists in. In the Top-Down model not only it is difficult to prove that some norms are self-justifying but there is also a possibility of infinite regress in the process of reasoning. Another variation in the top-down model is the pluralistic kind of ethical theories comprising of various moral principles on the lines of three already mentioned above. There are multiple principles on the basis of which rightness/wrongness of any given action, among the array of applied ethics issues, can be determined.

1.6.2 Bottom-up models

These models focus on the process of ‘how’ we make practical decisions rather than mere application of general principles and theories. The method emphasizes that our moral beliefs are structured and moral decisions are made on the one hand by using existing social agreements and practices, on the other hand by a thorough analysis of new, exemplary, comparative cases. Also, structuring of moral beliefs is done by drawing analogies from prior practice and several other learnings from the domain of experiences. This system focuses on the use of existing social agreements and practices, insight-producing, novel cases, and comparative case analysis as the starting-points for moral decision making. Bottom-up accounts navigate an array of methodologies, like, pluralism, casuistry, pragmatism, particularism among others. Many possible situations arise with conflicting interpretations, analogies and judgments. It is possible that a particular feature of a moral principle proves the rightness of an action in one case but may be counted against the rightness of the same action in another case. This opens up the possibility of moral particularism.

However, there are possibilities which indicate that the bottom-up models are prejudiced, biased, based on irrelevant analogies, hasty generalizations, popular opinions and other factors. Analogies and comparisons as method do not provide us any claim to objectivity. Another important challenge is that although these methods provide us with a tool of thought but these accounts present us a method without content as they lack in initial moral premises.

1.6.3 Coherentism

Instead of a top-down model or a bottom-up model, which are now regarded as insufficient, there is another version of models, known as “reflective equilibrium” or “coherence theory.” John Rawls has given an account of “reflective equilibrium” in his book *A Theory of Justice* (1971). When a system of ethics is developed, we should start with considering the broadest

possible set of moral judgements and make a provisional set of principles by reflecting upon them. “Reflective equilibrium views investigation in ethics (and theory construction) as a reflective testing of moral principles, theoretical postulates, and other relevant moral beliefs to make them as coherent as possible.” (Beauchamp, 2008, p. 11).

When we make considered judgements, we present moral beliefs without a bias and they are always ‘liable to revision.’ “Reflective equilibrium” aims to match and adjust considered judgements to maintain coherence with the premises of our most general moral commitments. We begin with an account of sound judgments of moral rightness and wrongness and then go on to construct a general account and a specific account that is consistent with paradigm judgements to render them coherent. After this we test the resultant actions to see if they offer us any incoherent results. Any incoherent results call for either readjustments, or giving them up, or renewing the process. This adjustment and pruning is a continuous process for a completely stable equilibrium is never possible (Rawls, 1971).

Let us take examples of two issues to understand the complexities, which are involved.

Case 1: If we look up the discourse on justification of universal human rights, we observe that foundationalists believe that human nature is homogenous. On the other hand, anti-foundationalists and relativists argue that the nature of human being entails humanness but this humanness takes different forms in different societies as cultural beliefs and practices vary accordingly. To consider only the homogeneous nature of human beings by ignoring the plurality in human society would render the argument incomplete. Looking from the perspective of coherentism neither a top-down model nor a bottom-up model can work to provide reasonable justification for the concept of universal human rights. Instead, we are required to develop an objective view and reconcile the differences between moral relativism and moral universalism.

Case 2: Surrogate motherhood is a result of relatively new technological advancements in the field of reproductive medicine that presents many personal, social, ethical, legal, and medical challenges. This is a complex practice with its risks and benefits. Even if it does not become commercially successful it has definitely given rise to multifaceted questions, like, what is our understanding of family? What is parenthood? Is parenthood determined by gestational connection or genetic connection? Is the rearing role of a mother more important than the gestational or genetic role? Moral arguments against surrogate motherhood include risking harm to the resulting children, risk to intended parents and surrogate mother and her family.

There are several arguments put forward for surrogate motherhood that reject all the arguments against surrogacy. They argue that there is no harm to the child, surrogate's family, labour disparity involved in legal agreements on surrogacy. The legalization of surrogacy would require consideration of a balanced point of view which would certainly depend on developing a coherent perspective. A balanced perspective should neither be dominated by the critics nor the supporters but it should reject their respective biases and develop a balanced perspective.

The process of achieving moral coherence does not come to an end or perfection. Any moral framework which is deemed adequate for applied ethics should not be seen as a finished product. Any applied ethical issue is always in need of continual adjustment by reflective equilibrium. The open-endedness of this model is visible in its never-ending search for coherence and for novel situations that challenge our current moral frameworks. One problem with Coherentism, however, is that achieving a coherence of norms can never provide a ground for justification because the body of substantive judgments and principles which cohere might not be absolutely satisfactory. We start with considered judgments which are morally justified. However, at times even the considered judgments might not turn out to be reliable themselves. The reason is that the persons, codes or institutions on the basis of which these considered judgments have been made might not themselves be very reliable. Also, there is no clarity as to what is the precise nature and scope of the method, because a philosopher who seeks coherence might be pursuing one or more of several different interests, like, evaluating public policy, improving his or her personal set of beliefs etc. It would be apt for reasons mentioned above that although applied ethics stimulates moral imagination but applied-theoretical distinction needs to be viewed with caution (Beauchamp, 1984 and Gert, 1984).

1.7 ANALYSIS

In order to understand the ethical theories and their implications in a better way it is useful to consider theories in relation to practical issues. Each and every issue can be addressed from the point of view of different ethical theories. General theories should definitely be contextualised in the given situation, or else moral guidelines would be empty and ineffective. At times there might be a need to specify what is meant by a broader/ vague definition of a term for a context. At the same time narrowing the scope of general norms can

also lead to moral disagreements. Disagreements can be about the scope, concepts, facts, genuine moral dilemma, or even about which norms and circumstances are relevant. Parties may disagree on several dilemmatic situations like whether euthanasia is acceptable, whether affirmative action is appropriate, whether capital punishment is morally tenable and other such contentious decisions. The changing circumstances of urbanisation, education, industrialisation, etc. in the global world order show a continuous need to reassess our moral position (Beauchamp, 2008, 12-13).

A foundational question can be raised with regard to whether applied ethics has a special moral content and distinct method of justification. Applied ethicists analyze concepts, examine the hidden presuppositions of moral opinions and theories, offer criticism and constructive accounts of the moral phenomena. They try to stimulate the moral imagination, promote analytical skills, and weed out prejudice, emotion, misappropriated data, hegemony of ideas, authoritativeness, and the like. Differences between ethical theory and applied ethics are as apparent over content as over method. Instead of analyzing moral theories and general terms such as "good", "rationality", "ideals", and "virtues", applied ethicists analyse confidentiality, environmental responsibility, rights, various issues in medical ethics, like, euthanasia, abortion, organ transplantation, surrogacy, confidentiality between doctor-patient, among others. Moreover, applied ethics studies a variety of content, and the working knowledge of the field requires considerable empirical knowledge related to historical context, economical situation, policies and others.

Principles in ethical theory are typically general guidelines that leave considerable room for judgment in specific cases, but applied ethics should advance concrete action guidelines that instruct human beings to act in ways that allow for less interpretation and discretion. Many scholars are suspicious about the fact that whether ethical theory can play any role in case analysis or policy? Do philosophical theories have any practical use? While no one might doubt the importance of the subject, many people do not understand the nature of the subject. However, before moving on to applied ethics it is always advisable to attain conceptual clarity in and through understanding the relations in a contextual setting. It serves the purpose of providing direction, guidance to human action. In the process of fulfilling this purpose, we test moral principles in the context of real life. In the process of applying ethical principles, we open the sphere to question, deliberate, criticize and revise these questions.

However, many times, there is a considered worry about the status of applied ethics as it is quite unclear which method or methodology can be used for justifying any given practice.

1.8 LET US SUM UP

In this unit we have discussed the relevance of applied ethics as a discipline. Applied ethics deals with practical normative challenges faced in our everyday interactions. In this sense it can also be referred to as ‘do-it-yourself’ exercise. Unlike traditional ethical theories which are concerned with purely theoretical problems, like, criteria of rightness, concept of right and wrong etc applied ethics is devoted to the treatment of moral problems, practices and policies in personal and professional life in the fields as diverse as technology, reproduction, governance etc. In the contemporary world various fields of applied ethics are studied as independent spheres; Business ethics, Bioethics, Professional Ethics, Social Ethics, Environmental Ethics, Distributive Justice and Human Rights among others. To sum it up, it is important to deliberate on theoretical approaches to strike a balanced viewpoint with respect to justification of their position. The unit discusses and presents an analysis of issues of moral content, method, and justification in the domain of applied ethics.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Discuss the problem of moral content with reference to three models discussed by Tom L. Beauchamp in “The Nature of Applied Ethics.”

2. Elucidate Coherentism as a method of justification.

1.9 KEY WORDS

Applied Ethics: Applied ethics is referred to as a component study of a wider sub-discipline of ethics. As a subfield of ethics, it focuses on issues of practical concern. It is concerned with ethical issues in various fields of human life, encompassing personal and professional space –including social, economical, political, and other domains.

Coherentialism: There are several methods and models of justification in applied ethics. Unlike top-down model and bottoms-up models as methods of justification, coherentialism provides a balanced approach to understand the multi-faceted field of applied ethics.

1.10 FURTHER READINGS AND REFERENCES

- Beauchamp Tom L. *Philosophical Ethics: An Introduction to Moral Philosophy*. New York: Mc Graw-Hill, 1982.
- Beauchamp, Tom L. “The Nature of Applied Ethics” in Ed by R.G. Frey and Christopher Heath Wellman, *A Companion of Applied Ethics*. Blackwell Publishing, USA, 2008.
- Brody H. and Miller, F. G. The internal morality of medicine: explication and application to managed care. *Journal of Medicine and Philosophy*, 23:384-410.
- Encyclopedia entry on Applied Ethics at [Ethics, Applied | Internet Encyclopedia of Philosophy \(utm.edu\)](https://www.utm.edu/ethics) as accessed on 12th December 2021.
- Gert B. “Licencing Professions”. *Business and Professional Ethics Journal*, 1:51-60.
- Gert, B. “Moral Theory and Applied Ethics”. *The Monist*, 67: 532-48.
- MacIntyre, A. *After Virtue*. 2nd Edition. Notre Dame. IN: University of Notre Dame Press, 1984.
- Motilal, Shashi. *Applied Ethics and Human Rights: Conceptual Analysis and Contextual Applications*. London: Anthem Press, 2010.
- Newton, Lisa. *Ethical Decision Making: Introduction to Cases and Concepts in Ethics*. Springer Shelburne VT USA, 2013.

- Prasad, Rajendra. “Applying Ethics: Modes, Motives and Levels of Commitment” in Ed by Motilal, Shashi. *Applied Ethics and Human Rights: Conceptual Analysis and Contextual Applications*. London: Anthem Press, 2010.
- Rachels, James. *Elements of Moral Philosophy*. Oxford: Oxford University Press, 2011.
- Singer, Peter. *Applied Ethics*. New York: Oxford University Press, 1986.
- Singer, Peter. *Practical Ethics*. Cambridge University Press, 1993.
- Taylor, Paul. W. *Problems of Moral Philosophy: An Introduction to Ethics*. New York: Diskenson Publishing Company Inc. California, 1972.
- Thiroux, Jacques and Keith, W. Waisemann. *Ethics: Theory and Practice*. New Jersey, 2012.

1.11 ANSWERS TO CHECK YOUR PROGRESS

Check your Progress I

1. **A. Morality:** Morality derives its origin in the Latin word *moralis*. Stands for standards or principles derived from a code of conduct of a particular philosophy, religion or culture, or from a standard that someone believes should be universal. Morality is also seen as synonymous with "goodness" or "rightness". Morality in a descriptive sense incorporates the 'social mores', 'codes of conduct', and 'cultural or personal values'.

B. Normative Ethics: Normative ethics studies the systematic construction of a valid ethical system. The purpose of normative ethics is to discover or construct a consistent system of moral norms that stands valid for everyone. Three main kinds of normative ethical theories are Immanuel Kant's Deontology, J.S. Mill's Consequentialism, which is Utilitarianism and Aristotle's Virtue Ethics.

2. Applied ethics is a branch of philosophy whose subject matter is the application of moral rules, principles, or concepts to real life issues like, Euthanasia, abortion, surrogacy, and several others. The term “applied ethics” or “practical ethics” has recent origins as it gained prominence during the 1970s when philosophers, theorists, and academicians started using ethical theories and moral philosophy to address persistent problems of society. The emergence of professional ethics, medical ethics, bio ethics and business ethics is attributed to this interaction. According to Gert applied ethics is defined as the systematic application of

general ethical theories to particular moral problems. Whenever one is in a moral dilemma we require to apply ethical theories. Conflicts appear in the areas of Business Ethics, Euthanasia, environmental ethics, legal ethics, computer ethics and several other spheres related to personal, professional, social, political, and economic lives of individuals. Moral theories and moral principles must be supplemented in some way by particular cases, like, right action, empirical data, organizational experience, and others. An implicit/explicit gap has been observed between theory and practice. Applied ethicists try to mitigate this gap.

Check your Progress II

1. As far as the appropriate sources of content in applied ethics are concerned, there are three influential answers quoted in the literature: an internal account, an external account and a mixed internal-external account. Let us discuss them:

- A. **Internalism:** Internalism argues that ethics ought to be derived from professional or institutional or group ethos. Each and every profession traditionally has a set of standards which are internally determined.
- B. **Externalism:** External morality incorporates norms that sustain and supplement norms of an internal morality. This concept maintains that precepts in settings of applied ethics rely upon and require justification by external standards such as those of public opinion, law, the common morality, religious ethics and philosophical ethics.
- C. **Mixed Internalism and Externalism:** This approach incorporates the elements of both Internalism and Externalism. On the one hand internal morality fixes moral standards by membership within a profession or group on the other hand external morality fixes moral standards owing to the external broader cultural community. In focusing on diversity we overlook basic similarities and neglect the common moral goals that exist among people.

2. There are several methods or models of justification in applied ethics. Instead of top-down models or bottom-up models, which are now regarded as insufficient, there is another version of models, known as “reflective equilibrium” or “coherence theory.” John Rawls has given an account of “reflective equilibrium.” When a system of ethics is developed, we should start with considering the broadest possible set of moral judgements and make a provisional set of principles by reflecting upon them. The process of achieving moral coherence does not come to an end or perfection. Any moral framework which is deemed adequate for applied ethics

should not be seen as a finished product. They are always in need of continual adjustment by reflective equilibrium.

We take examples of two relevant issues. Let us discuss the moral issue of obligation towards respecting the environment including animals. The treatment of non-human animals hinges on the question, what is the moral status of animals? Should animals be granted rights? Do human beings have obligations towards animals? On the same lines there are specific questions with relation to environment, like, What is the status of environment independent of human existence? Whether the environment has any value in case human beings do not exist? Does environment matter without any sentient beings? Can nature be used as a means or should it be treated as an end-in-itself? Coherentialism as a method helps us to articulate a balanced view point regarding our obligations towards environment and animals.



ignou
THE PEOPLE'S
UNIVERSITY

UNIT 2

BIOETHICS*

Structure

2.0 Objectives

2.1 Introduction

2.2 Key issues in Bioethics

2.3 History of Bioethics

2.4 Medical Ethics

2.5 Euthanasia

2.6 Abortion

2.7 Doctor-Patient Relation

2.8 Informed Consent

2.9 Animal Rights

2.10 Let us Sum Up

2.11 Key Words

2.12 Further Readings and References

2.13 Answers to check your progress

2.0 OBJECTIVES

The objectives of the unit are,

- To understand the fundamental concept of Bioethics and its core issues.

* Ms. Shruti Sharma, Assistant Professor, Department of Philosophy, Dyal Singh College, University of Delhi.

- To analyse ethical conflicts arising out of advancements in the field of medical technology and contemporary challenges, arising due to the relationship between humans and the environment.
- To critically evaluate these issues from an ethical point of view.

2.1 INTRODUCTION

This unit will explore the whole sphere of Bioethics. It will map the most pressing ethical issues that engulf the contemporary world. We will critically evaluate the present day scenarios that involve ethical interventions, such as, doctor-patient relationship, consent and informed consent, abortion, euthanasia and animal rights. These are mere indications of a wide array of issues in Bioethics. It is hard to cover all the issues here, but it will help us to explore the key aspects of the subject.

2.2 KEY ISSUES IN BIOETHICS

The reverence for human life is a value that has a special, deep seated place, in all people. This leads to certain concerns regarding issues such as abortion and euthanasia. It is hard to fathom that can any ethics or any principle justify the killing of humans or unborn children?

Abortion is understood as the termination of pregnancy in medical terminology. The central question that revolves around this practice is that given the fact that fetuses are human, is it justifiable to kill a human being?

Euthanasia is, etymologically 'good death'. We, as humans, also generally believe that it is wrong to kill someone even if it is 'mercy killing'. Sometimes it is termed as 'physician assisted suicide', when a doctor intentionally assists the patient in the act of killing himself/herself. The fundamental principle that challenges the act is the principle of - sanctity of life. According to this principle, life is sacrosanct per se. This raises some serious ethical issues, such as--is there a right to die?

Do animal have rights? This is another pivotal bioethical issue that calls for serious reflection. Should their suffering or pain be taken into moral consideration in terms of experimentation and development of medicines? Is this justified or not?

There is another important issue that requires bioethical reflection. This is the issue of **‘doctor-patient relationship’**. To set the stage, the patient is the vulnerable part of the play, which is the lay person at the receiving end. The doctor stands as the expert, and dominant party. This relation could be also understood in terms of the receiver and the provider. Here we will explore the ethical dimensions of this relationship, and what are the ethical dimensions associated with this issue.

A closely related concept to doctor-patient relationship is the concept of **‘consent and informed consent’**. Every patient has a right to know about his or her treatment, disease, side effects etc. It is the duty of the doctor to ensure that the patient is aware of, and is satisfied with the line of treatment. Any kind of negligence or ignorance in this process calls for ethical review, as it jeopardises the autonomy of the patient.

2.3 HISTORY OF BIOETHICS

The term bioethics and medical ethics are sometimes used interchangeably. However, it must be noted that bioethics has a much broader scope than medical ethics. Bioethics is a recently developed multidisciplinary field of learning that encompasses issues in healthcare, research, biotechnology, environment along with the traditional elements of medical ethics.

It is essential to acknowledge that the development of this new field of study is particularly associated with the boom in biomedical development, field of medicine, technological advancement in organ transplant, dialysis etc. Moreover, there were certain events in history that paved the way for some serious deliberations and reflections from scientists, philosophers, policy makers and other health care providers.

Two major incidents led to a revaluation of the existing health care practices around the world. The World War II Nazi medical experiments in Europe and the unethical Tuskegee research in the United States led to the states around the world to come out of their dogmatic slumbers.

The Nazi human experimentation was a series of medical experiments on large number of prisoners, including children, by Nazi Germany at its concentration camps in the mid 1940’s. Nazi physicians forced the prisoners against their will to participate in the research. The prisoners had no clue as to what they were being experimented for. Most of the victims died during the experimentation. The survivors suffered some irreversible physical damage and

psychological trauma. Post World War-II, 1947, trials of Nazi doctors who conducted the heinous medical experiments were executed. These trials came to be known as the “Doctors Trial”. The verdict revolved around the difficult question of medical experimentation on human beings and proposed a revised code of conduct in a section entitled, “Permissible Medical Experiments”. The ten points of the revised document came to be known as the “Nuremberg Code”. It is apt to note here, before these trials there was no international law to differentiate between legal and illegal human experimentation.

In 1932, African American men from Alabama were enlisted to participate in a scientific experiment on Syphilis. The Tuskegee study of untreated Syphilis in the Negro male was conducted by the United States Public Health Service (USPHS). The goal was to observe the natural history of untreated Syphilis in black population. The subjects were kept in the dark and were not informed about the nature of the experiment. Unfortunately, they received no treatment at all. Even after the discovery of penicillin, the cure for Syphilis, they were not given the treatment and were left to die. However, the research continued for 40 years uninterrupted. Much later, the study was exposed and ethical issues were raised. This was followed by an enquiry on such incidents and certain amendments and rules were laid for research on humans. This was presented as the Belmont Report.

The term ‘Bioethics’ was coined in 1927 by Fritz Jahr in the article about “bioethical imperative” regarding the use of animals and plants in scientific research. However, in 1970, the American biochemist Van Rensselaer Potter proposed the term bioethics as ethics for a “science of survival”. The terminology never became widely established, however, the term Bioethics came to refer to a growing interest in the ethical issues arising for healthcare and biomedical sciences.

Bioethics in its very inception remains an interdisciplinary field. Various breakthrough researches in the field of medicine, nursing, biomedical technology, and human sciences have shaped and framed its structure from time to time. Breakthrough developments in medicine and technology such as, organ transplant, dialysis machine, artificial ventilators, in vitro fertilization, have led to a sea change in the world outlook. All these have had a deep impact in the ethical reflections of people around the world. These developments have made possible to increase the lifespan of people, and also created hope for childless couples to conceive, however they also raise a series of issues and dilemmas for ethical consideration. Therefore,

such bold transformations call for some thoughtful reflection on the application of such advancements.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. State the key issues in bioethics.

2. Discuss in brief the two major incidents that led to the formation of international law on human experimentation?

2.4 MEDICAL ETHICS

Medical ethics is regarding ethical and moral issues related to the practice of medicine and health care. Medical profession is constantly engaged with new developments in modern medicine, technology. An important element that strengthens the scaffolding is the element of empathy and compassion towards the patient. Provision for optimum medical care is a pivotal step in patient management. This call for understanding of a patient's needs, behaviour, rights of the patient, cultural background and professional accountability. Having a good ethical conduct nurtures trust and faith for the health care provider and patient's response to the treatment also yields better results.

The significance of ethics in medical care can be traced back to ancient times. It dates back to 1750 BCE, the code of Hammurabi in Babylonia is recorded as the oldest text that states the professional expectations of the medical practitioners. In India, one may refer to Ayurveda that describes the attribute of a good doctor in the Samhita of Athreya, Charaka and Sushruta around 300 BCE-500 CE. This may equally apply to other Unani, Arabic and Chinese medical practices.

We now come to the teachings of Hippocrates that greatly influenced medical ethics and continues to do so. Hippocrates is called the father of medical ethics and the founder of the famous “Hippocratic Oath”. The Oath is commonly assumed to be of 5th century BC and is regarded as the foundation of western medical ethics. Around 500 BC many different schools of medical practice coexisted. Mostly, all of them reflected different religious, philosophical and medical beliefs. The Hippocratic School produced a large body of writings on medicine, science and ethics. In the present times, most graduating medical school students swear to the *Hippocratic oath* (modernised version).

Some of the key points are as under:

- To have a parental like respect to the one who has taught the art and to continue this regard, as his brother, to his offspring
- To do no harm.
- Whatever I see or hear in the lives of my patient, I will keep it secret.

The key controversial aspects of the Hippocratic Oath are its precepts against Euthanasia, Abortion and surgery. All these have been abrogated in later versions. Maintaining confidentiality with the patient indeed remains a strong precept even in the present times. However, there are some sweeping changes in the present version. Over the centuries, nevertheless some of the key components, such as “do no harm” and “patient’s confidentiality” are still intact.

On the basis of Hippocratic Oath, four basic principles of biomedical ethics were described by Tom Beauchamp and James Childress in 1979. The four principles are non- hierarchical and are applied to reflect ethical issues in biomedical ethics.

1. Principle of beneficence

2. Principle of non- maleficence
3. Principle of respect for autonomy
4. Principle of justice

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the scope of medical ethics? Explain its nature.

2. Discuss the importance of the Hippocratic school in the history of biomedical ethics.

2.5 EUTHANASIA

In bioethics, the end of life issues often come under the issues of Euthanasia. It comes from the Greek word, “eu”, meaning “good”, and “thanatos”, meaning “death”. It is sometimes referred to as good death. It includes the issues of right to die, and physician assisted suicide. In most of the cases, euthanasia involves a deliberate action carried by someone else, usually a medical practitioner, to bring about the death of a person. In this form euthanasia is understood as “mercy killing”. Oxford dictionary describes Euthanasia as “a gentle and easy death especially in case of irrevocable and irreversible painful disease”.

2.5.1 Types of Euthanasia

1. Voluntary Euthanasia

It is a situation where the patient is conscious and is able to make a rational decision, to end his/her life. In some cases, the patient may have his living will, as a form of consent to terminate his/her life, if at all he/she is infected by an irreversible disease. The request may be of the nature to withhold treatment that would prolong one's suffering.

2. Involuntary Euthanasia

It is a situation where the patient has not given his or her consent and euthanasia is administered against his/her will.

3. Non Voluntary Euthanasia

It is a term which is used when the patient is not in a position to convey his wishes about ending his life. Here the patient's wishes are not known and thus it is usually a caretaker or a family member who may be consulted to make the decision. These are the cases not really against the will of the person, as his wishes are not known. In such cases, a person may be in a coma, brain damaged or a neonate.

4. Active Euthanasia

It is sometimes referred to as 'killing'. Here some steps are taken to assist in one's death, for instance, by injecting a lethal injection. The point here is to make death painless as much as possible.

5. Passive Euthanasia

It is referred to as "letting die". In this case, there is no action or "negative" action undertaken consciously to let someone die. In other words, the health care professional deliberately withholds the treatment, to let the patient die through the natural course of the illness.

The central question in Biomedical ethics revolves around legalizing euthanasia. Whether it should be legalised or not? There are strong arguments from both the segments of people, for or against euthanasia. Those who are against it, argue from the perspective of the "sanctity of life" principle. For them life is sacred per se. Further, they argue by upholding the codes of medical ethics; principle of beneficence and nonmaleficence. These codes are binding on doctors, to do no harm to their patient and preserve their life. Moreover, there remains a fear

that by allowing euthanasia may lead to devaluation of human life. It may take the form of a slippery slope to stigmatize and abuse chronically ill patients. On the other side are those who believe that it should be the right of an individual to decide when to end life. They argue for the inclusion of “right to die” as an extension to “right to life”. The right to life with dignity is the threshold of the entire debate. Merely by being alive in a vegetative state is contrary to the very essence of “life with dignity”. The supporters are of the opinion that biological existence without any quality of life is contrary to having a good life. If the person is suffering and cannot perform his basic biological functions himself/herself, illness is untreatable, irreversible, then merely prolonging the life is outrightly unacceptable to the principles of medical ethics.

These are some strong debates from both the segments. As we have observed, such issues are conflicting and overlapping and hence leads to ethical dilemmas.

2.5.2 Case Study

“Aruna Shanbaug was an Indian nurse who was at the centre of attention in a court case on euthanasia after spending nearly 42 years in a vegetative state as a result of sexual assault. In 1973, while working as a junior nurse at King Edward Memorial Hospital, Parel, Mumbai, Shanbaug was sexually assaulted by a ward boy, and remained in a vegetative state following the assault. On 24 January 2011, after Shanbaug had been in this state for 37 years, the Supreme Court of India responded to a plea for euthanasia filed by journalist Pinki Virani, setting up a medical panel to examine her. The court rejected the petition on 7 March 2011. However, in its landmark opinion, it allowed passive euthanasia in India. Shanbaug died of pneumonia on 18th May, 2015, after being in a persistent vegetative state for nearly 42 years.”

(https://en.wikipedia.org/wiki/Aruna_Shanbaug_case)

It is to be noted that this case revived the debate on euthanasia in India. It led to some changes in the existing legislation and as a result, passive euthanasia was legalised for exceptional cases only. It could be allowed in extreme cases on the request of the family and doctors, considering the best interest of the patient. While active euthanasia still stands illegal, passive euthanasia requires to be administered cautiously in order to avoid any abuse of this law.

2.6 ABORTION

Abortion in the present context means the “termination of pregnancy” especially that of a human foetus. In medical history there are several cases where the foetuses are not viable and may die but not with someone’s assistance. Here, we are concerned with those cases where a conscious decision is taken to undergo abortion. In bioethics, the pressing debate revolves around the issue whether it is ethical or unethical to indulge in such an act.

An ethical proposition that surrounds this issue is to perceive life as sacred in itself. Alongside are various other markers that questions the ethical standing of this act, such as-

1. Concern for the welfare of the child.
2. Concern for the life and autonomy of the mother.
3. Concern for the future of society.

Those who support abortion provide pro-choice arguments in favour of the woman’s rights to choose. The emphasis is on the autonomy and personal rights of the woman. On the other end, those who believe that abortion is inherently immoral, and are against its application at any stage of pregnancy are pro-life groups. The main contesting issue is with regard to the moral status of the unborn foetus, and to consider whether the unborn foetus has a right to life or not?

Given the advancement in treatments and medicine, it is now safe to undergo abortion, however the ethical considerations remain.

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Discuss in brief the types of euthanasia.

2. What are the biomedical issues concerning Abortion?

2.6 DOCTOR-PATIENT RELATION

The doctor- patient relation is a unique blend of trust that is essential for medical care. The patient is expected to have complete trust in the ability of the doctor. In reciprocation, the doctor is expected to give the best care possible to the patient and keep him/her informed of the treatment. The element of transparency is pivotal for the success of this relationship.

1. Trust and Confidentiality

Trust is an essential element in this relationship. All important information regarding the diagnosis, prognosis and further treatment must be explained to the patient. At the same time, the patient is expected to put his/her trust in the doctor and must reciprocate.

2. Physical Contact

Physical contact is a necessary element in doctor-patient relations. It calls for physical examination of the patient's body for carrying out treatment and diagnosis. The patient must trust the doctor and the doctor is expected to respect the body of the patient to whom he/she is treating. Maintaining privacy and confidentiality in the treatment is pivotal.

3. Concept of Respect

Seeing a patient as a person rather than a mere body is essential. Irrespective of the fact, whether the patient is a child, adult, mentally disabled or physically deformed, the doctor must treat them with human lens.

Doctor-patient relation has its own ethical challenges. Respect for the patient's autonomy is a related concept that is of utmost importance. However, many times, doctors are faced with

dilemmatic situations where they are forced to violate this principle. In cases where there is a need to break the bad news, sometimes the family members of the patient may request the doctor to withhold the truth. One such exception is *therapeutic privilege*. “According to this idea, a health-care practitioner may withhold information that would otherwise have to be disclosed if it is judged that disclosure would be likely to lead to harm to the patient”

This challenges the very foundation of trust of this relation. However, the doctor is expected to look through the lens of social situation and beliefs as well.

2.7 INFORMED CONSENT

An important factor related to doctor-patient relationship is the concept of informed consent. It is a formal procedure whereby a patient’s consent is taken before carrying forward the treatment or any surgical procedure. Every patient has a right to be aware of and at the same time be a stakeholder in the entire process of his/her treatment. In the light of this, informed consent is a value oriented concept that revolves around the principle of autonomy of the patient.

It is a right of every patient to be fully apprised of his/her illness, diagnosis, prognosis, alternate treatment and what are the potential risks involved. It is the duty of the doctor to explain in detail to the patient about his/her condition and the mode of treatment that he/she has planned for the patient. The doctor must present the facts truly to the patient regarding the post-operative prognosis and the quality of life after it.

Further it is advisable that the doctor must be able to communicate effectively with the patient, keeping at bay any medical jargon as far as possible. The communication must be in simple language that is easily comprehensible to the patient.

Here it is pertinent to distinguish between “informed consent” and “understood consent”. In case of informed consent a patient is merely informed about the treatment, its prognosis, risks and implications. On the other hand, understood consent is used when the doctor is convinced that the patient has fully understood the line of treatment and risks involved in it. The difference between the two is a matter of semantics. Doctor or a health care provider must be sensitive to the use of vocabulary and language, so as to make the patient comprehend it easily. Consent from the patient is usually taken in the form of a written consent.

2.8 AUTONOMY OF THE PATIENT

A patient's autonomy is to be valued and respected. Under no circumstances it should be compromised. The patient is free to either accept the treatment proposed by the doctor, to look for an alternative procedure or to completely call off the treatment. He/she has a free choice and violation of it may have some legal repercussions.

It is within this parameter that bioethical issues arise. Valid consent is when the patient gives his/her consent willingly for the implementation of the treatment. Patient's wish is pivotal here and so his autonomy is to be preserved and prioritised.

However, there are certain scenarios under which it becomes absolutely difficult to get a valid consent from the patient. This may be due to the limitation on the decision making capacity of the patient. Such patients may have some physical or mental conditions, due to which they would need someone else to make decisions on their behalf.

It comes to the doctor to take care of such vulnerable patients and ensure that any decision taken should be in the best interest of the patient. Usually these decisions are to be taken by his/her parents, guardians or other family members. They are called surrogate decision-makers. If there happens to be no family members of the patient, then the impetus falls on the treating doctor to take such calls on behalf of the patient. Such decisions require a careful examination of the patient's treatment and to make the best possible decision.

2.9 ANIMAL RIGHTS

The other bioethical issue that is significant to this topic is regarding the rights of animals in comparison to human rights. For some it is hard to comprehend that animals have rights. There are differences between humans and animals but does that mean that we can outrightly deny them any moral consideration?

2.9.1 Not Conscious Hence No Rights

Some thinkers are of the opinion that since animals lack consciousness, there is no question of them having rights. Modern western philosopher Rene Descartes famously argued that animals are like machines. They are driven by passion but are devoid of any consciousness. It implies that animals certainly lack the ability to suffer. Peter Singer, the most prominent

thinker, argues that there is no rationality in discriminating against animals just because they are different or belong to different species. Singer argues that animals do suffer, and it is our moral duty to protect their interest. He uses the term “speciesism” to rebuke any argument that justifies exploitation of animals on the ground that they belong to different species.

2.9.2 Experimentation on Animals

Animals have been used for experimentations and research for discoveries and testing of various drugs. The main issue in bioethics is concerning the issue of justification of using animals for testing. Those who argue in favour of this view render animals as less valuable than human beings. According to them, it is justifiable to use them for some human good as they are not worthy of anything valuable. The enlightenment philosopher, Immanuel Kant stated that the concept of morality cannot be extended to animals. His categorical imperative only applied to rational human beings and not to animals. He was of the opinion, since animals do not have any duties, they have no moral obligations. Animals stand outside the domain of morality.

Those who argue against animal experimentation strongly put forward their belief that animals suffer pain. The limitation is that we do not understand their language and hence we feel that they do not feel pain. Further, many of the experiments are non-essential and thus could be avoided to be tested on animals.

Check Your Progress IV

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the distinction between ‘informed consent’ and ‘understood consent’?

2. Discuss in brief the issues concerning animal rights in bioethics.

2.10 LET US SUM UP

In this unit we have tried to understand the subject matter of Bioethics. We have critically analysed the central debates and ethical issues that surround it. Being a multidisciplinary subject, it is ever evolving and presents issues from varied perspectives. It is important to view contemporary issues from an ethical lens. With the advancement in medicine, technology and other fields, bioethical issues must not be compromised and should be viewed with ethical reflection. It is to be noted that medical ethics is a part of bioethics and includes some key principles that acts as tools for reflecting upon any ethical issue. Concepts of euthanasia, abortion, doctor- patient relation, informed consent and animal rights are some of the contemporary issues in bioethics. They reflect some key debates and ethical dilemmas of bioethics.

2.11 KEY WORDS

Abortion: Medical process of ending a pregnancy.

Bioethics: Is the study of ethical, social and legal issues that arise in biomedical research.

Dilemmas: A situation in which a difficult choice has to be made between two or more alternatives.

Euthanasia: It refers to good death.

Speciesism: Having a biased view based on species.

2.12 FURTHER READINGS AND REFERENCES

- Bonnie Steinbock. *The Oxford Handbook of Bioethics*. Oxford University Press, 2007.
- David, Boersema and Kate Middleton. *Handbook of Philosophy*. Viva publications, 2014.

- Heather, Widdows. *Global Ethics: An Introduction*. Acumen publishing, 2011.
 - Helga Kuhse and Peter Singer. *Bioethics: An Anthology* (ed.). Blackwell Publishing, 2009.
- Janie B Butts and Karen, L Rich. *Nursing ethics: across the curriculum and into practice*. Jones and Bartlett Publishers, 2008.
- Flynn, Jennifer. "Theory and Bioethics". In *the Stanford Encyclopedia of Philosophy* (Spring 2021 Edition), Edward N. Zalta (ed.).

2.13 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. The reverence for human life is a value that has a special, deep seated place, in all people. This leads to our concern regarding certain actions that need to be seen through an ethical lens. These are the issues concerning abortion, euthanasia, animal rights, consent and doctor-patient relation.
2. Two major incidents led to a revaluation of the existing health care practices around the world. The World War II Nazi medical experiments in Europe and the unethical Tuskegee research in the United States. Both the incidents are prime examples of trespassing the ethical norms and violation of the principle of consent.

Check Your Progress II

1. Medical ethics is a branch of ethics that deals with the moral issues related to medicine and research in health care. Medical profession is constantly engaged with new breakthroughs in medicine, technology and research. Biomedical ethics critically evaluates such actions and developments through ethical perspective.
2. Hippocratic school is called in the name of its founder Hippocrates. He was a philosopher and the founder of the famous "Hippocratic Oath". In the present times, most graduating medical school students swear to the Hippocratic oath. The famous guideline of this oath is, "to do no harm".

Check Your Progress III

1. There are five types of euthanasia:

1. Active euthanasia: It is the immediate ending of the patient's life, on its request by administering a lethal injection to the patient.
 2. Passive euthanasia: It is the withdrawal of the life support system, on the request of the patient. This prolongs the dying process and is often very painful.
 3. Voluntary euthanasia: It is the case when the patient expresses his/her wish to end his/her life. Here the patient has the capacity to make such decisions for him/herself.
 4. Involuntary euthanasia: It is the case where the patient's wishes are not taken into consideration and the act of euthanasia is committed without his/her consent.
 5. Non-voluntary euthanasia: It is a case where the patient is medically unfit (comatose patients) to make end of life decisions about him/herself. In such scenarios, a close family member, or a guardian usually takes the decision, on behalf of the patient.
2. The central debate in bioethics regarding abortion is concerning the moral status of the fetus. If the fetus is a person, then the ethical question arises that are we justified to kill an unwanted child? On the other hand is the question concerning women's autonomy and right to choose. Since it is a matter of their bodies, they should get the right to make decisions about themselves.

Check Your Progress IV

1. Informed consent is when the patient is merely informed about his/her diagnosis. It is a mere cursory procedure. The patient has a right to know the line of treatment and the potential risks involved in it. It is the job of the health care provider to inform the patient and get his/her approval to continue with the course of the treatment. In case of 'understood consent' the patient is fully apprised of the line of treatment and what are the risks involved. The important point here is that the doctor makes sure that the patient has understood it. It takes into consideration different levels of understanding of each patient and to regulate one's use of vocabulary accordingly.
2. Use of animals for experimentation is the main issue of concern in bioethics. The debate surrounds various ethical concerns regarding animals. One position is that animals are conscious beings and thus have rights. They press upon the fact that animals do suffer and they feel pain. On the other end, it is argued that it is justifiable

to use them for some human good as they are not worthy of anything valuable.
Animals are outside the domain of morality as they don't have any duties.



UNIT 3 ENVIRONMENTAL ETHICS*

Structure

3.0 Objectives

3.1 Introduction

3.2 What Matters?

3.3 Anthropocentric Ethics

3.4 Animal-centred Ethics

3.5 Biocentric Ethics

3.6 Ecocentric Ethics

3.7 Climate Change

3.8 Let Us Sum Up

3.9 Key Words

3.10 Further Readings and References

3.11 Answers to Check Your Progress

3.0 OBJECTIVES

The objectives of this unit are,

- to develop an understanding of issues in environmental ethics,
- to make the learners conversant with the various approaches to environmental ethics,
- to make the learners appreciate the gravity of the issue of climate change in current times.

3.1 INTRODUCTION

* Dr. Pragati Sahni, Associate Professor, Department of Philosophy, Faculty of Arts, University of Delhi.

The state of the environment is not good. We are witness today to severe environmental destruction, loss of biodiversity and devastating pollution. Species are dying out. Climate change is more and more visible: be it in previously unheard-of high temperatures, extreme rainfall, cyclones or drought. If we open any newspaper we are inundated with the effects of weather-related calamities: lives are lost, homes are ruined and diseases have broken out. We realize today that the resources nature provides us are not endless. The forests where we cut trees are now bare; cities are running out of water as rivers dry out; fish in many seas and oceans are reduced due to overfishing and lack of sustainable practices. There is widespread awareness that something needs to be done to address these vital matters. But are we morally obliged to act in response to them?

Environmental ethics, as a branch of ethics and under the rubric of philosophy, arose in the 1970s precisely with the dawning realization that nature was valuable and its bounties were limited and that to act in a way that respected and protected the environment could be considered legitimate moral behaviour. Environmental ethics is now an important discipline and is widely taught in many philosophy departments all over the world. It may be defined as a form of applied ethics that determines the rightness and wrongness of actions directed towards nature.

Environmental ethics seeks to find principles and concepts, formulae and norms in order to determine the morality of actions concerning nature. In other words, it seeks a way to answer moral questions that arise in situations to do with nature. Moral questions in general, though intangible, are of crucial importance to decision-making. For instance, a person may wish for euthanasia to relieve her of unbearable pain and suffering. This could lead to a discussion about the nature of the patient's disease or about the type of medication to be administered, if euthanasia is permitted, that may put the patient out of her misery but the moral question would be about the rightness or wrongness of the act of euthanasia itself and what it means for the patient to die in this way. Similarly in capital punishment, there could be questions of the cost of the process and the method of ending life to be adopted but an applied ethicist would look deeper into questions of fairness, the nature and extent of punishment and other similar considerations. An environmental ethics is similarly structured. Should trees be cut down for very valid economic reasons? Should animals be hunted as a source of entertainment? Should mines be dug for rare precious stones? Each of these actions, if undertaken, would lead to some environmental changes. But to an ethicist these actions raise

moral questions as well such as, for instance, how trees and animals are to be valued; an ethicist would look deeper to determine conceptions of good or bad that ought eventually to guide final decisions. This is what an environmental ethicist is challenged with and she must seek ethical ways and means for fulfilling this undertaking.

Environmental situations often also present choices. There are several ways of tackling an issue, of addressing a situation, and reasons ought to be found why one way is to be preferred over others. Discussed below are some examples:

In a remote forest, due to a dwindling predator population, the deer are prospering. However, as the number of deer increase, they appear to eat more and more grasses and plants leaving little for other animals, thus endangering the lives of the latter. Ought some external measures for limiting the deer population be put in place to safeguard others animals? Or ought nature be allowed to take its course?

A scientist creates a vehicle that can propel itself without petroleum and related products. However, it is very expensive to buy and it takes some effort to drive. My older diesel vehicle is very polluting. But it runs smoothly and easily and is cost effective. Ought I to continue driving my older vehicle or replace it?

Discussed above are two hypothetical situations. In each of these situations one is faced with a choice. How can one decide? Environmental ethicists are very aware of such situations as well. In order to address questions to do with identifying the right and wrong in environmental situations and deciding what choices to make environmental ethicists have found reasons and developed theories, some of which will be examined in the discussion given below.

3.2 WHAT MATTERS?

One way commonly adopted by ethicists for determining how to answer the above questions is by knowing what matters or what can be designated as a moral end. When an entity is seen as a moral end, moral behaviour can be extended to it. This means that its existence and wellbeing counts, and therefore only those actions that contribute to it positively are right actions. This implies that actions that harm the entity are wrong. Deciding what matters or what entity is a moral end however is not a random or arbitrary choice but rather a matter of

sound reasoning. A criterion or standard or reason must be identified and the entity in question must meet it to qualify as a moral end.

Generally, and most commonly four types of natural entities get highlighted by environmental ethicists with each adding to an ever-widening circle of what matters: human beings, animals, all living entities including trees and plants and finally, geographical features including mountains and rivers and collectives such as ecosystems. Correspondingly, the ethics are called anthropocentric, animal-centric, biocentric and ecocentric respectively. These and what they entail will be examined in the next few sections in detail.

The entities recognized as moral ends can also be considered as possessors of value. Value has come to be understood as of two types in environmental literature. An entity can be an end in itself and be valued for its own sake. This kind of value is referred to as intrinsic value and has been referred to above. My parents or my children, for instance, have intrinsic value. That is, they have worth no matter how they contribute to my life. Entities can also be valued as means to some other end as paracetamol is considered a means of reducing fever and restoring health, where it is health that is considered as the end. This kind of value is called instrumental value. In general, intrinsic value is what environmentalists seek to establish as they believe valuing natural entities intrinsically would be steadier and ensure consistent respect and protection.

Check you Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you understand by environmental ethics? What does it seek to do?

3.3 ANTHROPOCENTRIC ETHICS

When what matters the most are human beings an anthropocentric ethics is envisaged. In this type of ethics all decisions are to be made keeping in mind the interests of human beings. This means that if an action is done to the benefit of human-beings then that action is the right action. Therefore, if human beings are entertained by hunting, then that is the right action to undertake. The criterion generally adopted here is rationality or self-consciousness.

Some ethicists argue that anthropocentrism alone is our starting point. This is because as humans ourselves we are only able to care directly for our own interests. Considering anthropocentrism in this way, they say, makes it a rational approach. This is not to suggest that the interests of others do not count at all. They may count and depending on how and to what extent they count, anthropocentrism may vary from extreme to moderate forms.

3.3.1 Extreme anthropocentrism

This anthropocentrism is often associated with narrow self-interests. Actions that attend to human needs and interests are the only ones that can be considered as right actions. Anthropocentrism, when reduced to its most extreme form, invites criticisms for various reasons. It is considered somewhat selfish to believe that only human interests and needs count.

3.3.2 Moderate anthropocentrism

In this anthropocentrism though decisions are based upon human interests, the interests of others are reasonably included in most cases by rationalizing that the wellbeing of the two is invariably related. Moderate anthropocentrism is thus associated with enlightened self-interest. This form of anthropocentrism has gained popularity amongst those who believe that completing neglecting anthropocentrism is not sensible as it is a denial of human identity. By recognizing human interests and recognizing at the same time how the interests of others are tied up with these interests it hopes to strike a balance. Furthermore, this anthropocentrism acknowledges that human beings themselves add many values that can have a positive impact on the protection of environment.

3.4 ANIMAL-CENTRED ETHICS

In this type of ethics moral concern is extended to human beings and animals. Various reasons can be given for including animals. A central one is sentience (and therefore ethicists

sometimes refer to this extension as sentientism). The word sentience, taken in a general sense, conveys the capacity to feel pain and pleasure. Since animals have this capacity, argue ethicists, their interests should matter morally. Often, we do not wish to harm or pain other humans just as we don't want to be harmed by others. The very same logic is extended to animals too. They suffer and thus we should not harm them or create conditions that do.

The treatment of animals has been of interest to philosophers since time immemorial. For instance, the early Greek philosopher Pythagoras spoke of vegetarianism and found both spiritual and the ethical reasons for supporting it. But, contrarily, Cartesian philosophy, that followed many hundreds of years later, through its sheer dualism reduced animals to matter alone. This framework implied that animals were of no worth or value, and were fit to be treated as resources only. Contemporary philosophers such as Peter Singer and Tom Regan argue strongly against such views and support the moral consideration of animals. These philosophers have based their arguments on sentience and animal rights (based on animals being subjects-of-a-life) respectively. The rights argument is considered to be strong grounds for according dignity to animals and respecting their basic needs of life, food and a suitable environment.

When we speak of animals, we must acknowledge that there are animals that exist in the wild and those that are domesticated. The number of animals in wilderness has seen a rapid decline as civilisation increases and human beings inhabit more areas covered by forests. With both human beings and animals vying for resources and space, severe displacement and extinction of many wild animals is an expected outcome. Furthermore, wild animals may be hunted for entertainment or for food or for resources such as ivory and bone and are further threatened through such practices. For a sentientist the latter practices would qualify as unethical.

Where domesticated animals are concerned, the arguments are equally complicated. Those ethicists who support that animals matter morally object to cruelty towards domesticated animals as well. What comes to mind immediately is kicking an animal or hitting one with a stick. But cruelty can be seen in different ways, for instance in killing animals for food. Animals may be raised to be eaten, either in farms or in factory farms. The latter are industrial facilities (mostly seen in Western countries) devoted to the production of meat and other animal products. These farms have become infamous for their treatment of animals: animals here are simply part of a mechanized process and raised inhumanely and unnaturally.

The concept of factory farms thus is often under a scanner and invites moral debate. However, even the so called ‘humane farming’ of animals, where they are raised kindly but eventually sacrificed to a butcher’s knife, is not free from controversy.

Apart from questions about how animals are raised for food, animal experimentation is another matter that is often debated. Ought animals be put through agonizing treatment in laboratories for the sake of scientific and medical breakthroughs that will save human lives? The outcomes of such debates vary. Some believe that animals can be sacrificed for the larger human interest. This may be considered an anthropocentric justification. However, a radical animal rights stand may not permit such a violation of animals and therefore reject animal testing completely. There may be other stands that may argue that animal experimentation be undertaken for the most urgent and pressing reasons and with great consideration for the suffering animals by using sufficient pain killers etc. But even this kind of selective and careful experimentation may be rejected on the ground that admitting exceptional cases dilutes principles making them ineffective.

The creation of zoological parks (zoos) is also considered as a form of cruelty by many and once again moral arguments are offered against them. It is often said in support of zoos that they are entertainment and educational devices that may also be beneficial for the protection of endangered species. In response it may be said that notwithstanding, zoos rob animals of their freedom and of the opportunity to live their lives in their natural surroundings. Moreover, with such an advance in technology three dimensional images of animals may provide a good enough education. All the above are some examples of how the treatment of animals invites ethical discussion.

There is no doubt that rethinking about how we treat animals is bound to lead to many lifestyle changes that we take for granted including what we eat, what we wear and how we entertain ourselves among others. Stopping animal experimentation may create even deeper problems. However, many animal-centred ethicists suggest that we can start with at least giving up some acts or objects involving animals that are trivial and not life endangering for us. Even the smallest changes, they believe, will make a big difference to the lives of animals.

3.5 BIOCENTRIC ETHICS

As a moral position, biocentrism includes all living entities. Since plants are living entities, they are also considered as deserving of moral attention like human beings and other animals.

However, the criterion for inclusion of all that is living has to be different. It cannot be sentience as this would exclude many non-animal life forms. (In general, environmental literature supports the premise that plants are not sentient.) In biocentrism the criterion is rather the struggle for survival and the capacity to be benefited or harmed. The narrower criterions therefore either of sentience or of consciousness and rationality are thus expanded further. Paul Taylor is a prominent ethicist supporting biocentrism.

A tree may not be conscious like an animal or a human being yet it will undertake necessary steps that aid its survival. A common experiment taught to children at school is to place a plant indoors in a shady corner of a room away from windows. They are asked to observe the plant through the next couple of days and weeks. Children report back that the plant has changed the direction of its leaves towards that window open to sun shine. Most plants can be seen to display such characteristics. Their roots may go deeper in search of water or they may grow higher in search of sunlight. They respond to good and bad surroundings and change themselves to make the most of their environment. When biocentrism includes plants as moral ends it is considering such features of plants and their capacity to survive. This capacity is not passive even though they do not exhibit conscious preferences or feelings and may not respond with happiness or joy.

However, if human beings, animals and plants are at par how can decisions be taken when a choice is to be made amongst them? In order to address this difficulty most forms of biocentrism acknowledge that equal interests are to be treated equally. This is a practical stance that supports the decision-making process. It suggests that a preference can be made on the basis of higher or more complex interests. Thus, an entity with simpler interests like a Neem tree is more likely to be overlooked in favour of one with stronger interests like a camel. Sometimes other things may matter too such as were the Neem tree on the verge of extinction, it would also be a worthy contender of moral attention. Some more radical forms of biocentrism support, on the contrary, egalitarianism i.e., all entities are to be treated equally. This undoubtedly can create practical problem.

Check your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the difference between an animal-centred ethics and a biocentric one?

3.6 ECOCENTRIC ETHICS

Other environmental ethicists believe that what matters goes beyond life and includes the natural world observed as full of rivers and seas, mountains and soil, as they all share the feature of being natural. The property of being a natural entity becomes the criterion for being identified as a moral end. This kind of ethics thus extends itself the most including the entities named above and more as deserving of moral consideration. It identifies animals and human beings, trees and plants as moral ends. But further to that, rivers, marshes and mountains matter as well.

However, this approach differs in one crucial way. In all the forms of ethics so far, it is the individual that matters and is of value. On the other hand, when natural entities are looked upon not individually but as a cohesive whole, i.e., holistically, the foundation of an ecocentric ethics is laid. All and not some natural entities contribute in making their surroundings what they are. Thus, ‘what matters’ here are not individual entities but rather entities in their interrelations. Moral ends thus include natural ecosystems and biodiversities. This way of moral extension is therefore quite different from all the others with their individualistic approach. A holistic ethics generally derives inspiration from ecology (a science that deals with the interrelationship of organisms and their environments) and can be influenced by ideas like that of GAIA (the Gaia principle suggests that everything on the planet, organic and inorganic, forms one system that regulates itself and that all aspects together contribute to the stability and optimization of life).

A holistic ethics is unique in seeking to protect biota, land and communities that can be found within nature. This implies that certain things may be sacrificed in order to maintain this balance. Thus, if some animals are to be culled in order to cut populations for a more stable ecosystem, then this task would be morally permitted. Such a decision may however go against those who support animal rights. Thus, variations in solutions reached through the

practice of one form of ethics or another are a distinct possibility. Another instance of such a variation was described above: animal testing may be acceptable on anthropocentric grounds but will not be acceptable to someone who wants to ensure the end of animal suffering.

Adopting any one ethical position comes with its own distinct problems. The problems that arise with a strong anthropocentrism have already been discussed above. Animal-centred ethics may be considered too narrow neglecting many important parts of nature. Also focusing on the welfare of individual animals may not always be conducive to a balanced ecosystem. Biocentrism on the other hand has to try hard to defend itself as it must establish the value of all life even though such life may have no sentient interests. Finally, ecocentrism can be criticized simply for the reason that wholes are nothing more than collections of individuals and it is difficult to place value on the whole as such. It can be added here that there are critics of these ethics of extension, that is of all the positions described above, saying that situations ought to be judged for what they are and decisions ought to be taken keeping in mind the context. Judging through narrowly focused ethics such as these may create added problems for decision makers.

3.7 WHAT IS CLIMATE CHANGE?

The above is just one of the first steps of how an environmental ethicist must proceed in her appraisal. Most environmental problems in application however are very complex and require deeper analysis. In this part we will look at one particular environmental issue in detail to understand what an ethicist must face in the real world: that issue is climate change and it will be discussed through four questions.

Climate change is the sustained change in climate and weather patterns over a period of time. Though changing climate is not a new phenomenon in earth's history, it is worrying today because gradual and slow climatic alterations have been replaced by unprecedented and accelerated changes. These are attributed to increased amounts of green-house gases (GHG) such as carbon dioxide and methane in the atmosphere. GHG's play an extremely important role in the regulation of the temperature of our planet. These gases allow the heat of the sun to enter the earth's atmosphere but do not allow all of it to escape, and thereby they are responsible for maintaining temperatures that are conducive to the existence of life.

With a steady increase in the production of GHGs since the industrial revolution the balance of these gases in the atmosphere has been disturbed and more heat than required is being

retained. The industrial revolution sparked off a kind of development that is heavily reliant on burning fossil fuels which emit carbon dioxide. The type of activities in the present-day industrial set-up, vehicular emission and life style choices have also added to the rapid increase of GHGs. This has led to global warming and to changes in climatic conditions. Thus, the reason for climate change is considered to be anthropogenic i.e., due to human activities. In the past there was some denial of human interference and it was said that climate change was a natural phenomenon. Even though such speculation continues to exist, it now is an almost unanimously accepted conclusion that human activities are largely to blame.

The changes in climate are reverberating through-out the world in unexpected and severer weather conditions, as mentioned in the introduction. Scientists have warned of the effects of melting glaciers, rising sea levels and altered ocean currents. It is believed that the results of climate change in the future are going to be harsher and some effects can already be seen: the frequency and force of hurricanes has increased, rainfall patterns are either on the upswing (causing flooding) or reduced greatly in intensity (causing droughts). Heat waves are commonly seen and forest fires are uncontrollable. Even though the exact effects of climate change cannot be predicted with certainty through the science that exists today, that its impacts will be extreme seems accepted by the scientific community.

3.7.1 Who will be affected by Climate Change?

There is no doubt that severely changing weather conditions will affect human beings. The unexpectedness of changes will make it hard to defend lives and homes and infrastructure. Farming, fishing and other forms of food production will suffer losses. Diseases that thrive in warmer climates will spread. It is estimated that changing sea levels will drown low lying areas and lead to large scale migration. The effects of climate change can lead thus to severe displacement of human communities. It is often pointed out that flooding and famines will affect the poor more than the rich and developing nations more than the developed ones.

However human beings will not be the only ones affected. Animals, plants and ecological systems also stand to lose heavily. The speed at which the climate is changing leaves very little room for species to adapt to their new conditions. Thus, some species may be wiped out completely. Dangers especially to marine species with changes in oceanic temperatures and water composition are becoming more and more visible. The wellbeing of future beings, both

humans and non-humans, is also at stake. Many effects of climate change not visible today will show up in the future and affect those who are yet to come.

3.7.2 Why is Climate Change a Moral Issue?

Thus far it seems that determining the nature of climate change is a matter that may lie in the domain of science. However significant reasons can be found that show that climate change is a moral matter as well.

If climate change is being accelerated by human activities, then human beings are responsible for it. This raises questions of responsibility. If a pilot has flown a helicopter without completing her training leading to a crash or if a doctor has performed a surgery in an inebriated state leading to a death, then it would be reasonable to hold them responsible for what happened respectively. Both the pilot and the doctor have the moral responsibility not to undertake an action that causes a harm and in doing so they have committed a wrong. Similarly, if climate change has happened due to the actions of human beings due to which harm has been caused then they ought to be held responsible. However, the matter here is not as simple as in the examples. The link between the action undertaken and harm caused is not a direct one in climate change. Ethical discussions on climate change have shown time and again that the cause (our actions) and effect (global warming) are separated both in space and time. What I do today in one part of the world could have an effect in another part of the world many decades later. Due to this lapse, it is hard to identify who exactly is responsible and to what extent and this dilutes the process of pinning blame and holding anyone responsible.

This discussion leads to the second problem that is faced by ethicists. Since the effects of human actions done today will show later it will affect (or harm) future generations and their wellbeing. But what do we owe future generations? Many believe that we owe them nothing as moral decisions must be made keeping recipients in mind. In this case the recipients don't exist. Many others argue that we must leave the world in a liveable shape for future people. If this is accepted then problems may arise when resources have to be shared between the present and future generations. Questions can be raised then whether the interests of the present living generation can be sacrificed for the non-existent generations that are to follow.

This discussion shows that problems of justice between generations are inevitable. However, the question of justice rears up in other matters too. One way of tackling climate change is

through reducing carbon emissions. But who will reduce these? Is the burden to be taken by developing countries at the expense of development or by developed countries that that will require their citizens to make several lifestyle changes? Historically it is the developed countries that have added huge amounts of GHGs and therefore it seems just that they be the ones to curb their emissions. However, it is noted that these countries never knew this cost of development and that it was an unintentional consequence for which they cannot be blamed in retrospect. Added to the justice debate is also the difference between carbon emissions between the rich and poor populations within countries. Many ethicists opine that the poor, who are the least responsible for the problem, will suffer the most in its aftermath. Thus, questions of fairness between developed and developing countries, the rich and poor and present and future generations complicate matters considerably.

So far, we have discussed moral matters concerning human beings. By its very nature our discussion has been within the bounds of an anthropocentric ethics. However, if we chose to pursue a non-anthropocentric ethic, say biocentrism or ecocentrism, then the effect of climate change on plants and animals would also have to be considered. This would increase the scope of action needed and can become a contentious issue when limited resources are to be shared between human and non-humans.

Check your Progress III

Biocentric ethics: This ethics extends moral status to all entities that are living and in doing so questions the narrow range of anthropocentric ethics.

Climate change: Sustained change in climate and weather patterns over a period of time is referred to as climate change.

Ecocentric ethics: This is a holistic ethics that values the whole of nature (including ecosystems) rather than individuals.

1. What is the cause of climate change?

3.7.3 How is Climate Change being addressed?

The world has had to come together to address climate change since it is a global matter that will have repercussions in every corner of the planet. International panels and agencies representing numerous countries have been set up. The Intergovernmental Panel on Climate Change (IPCC) was set up in the 1980's involving governments, scientists, think tanks and so on and since then has been giving timely scientific reports on climate change. The United Nations also set up a secretariat in 1992 as a result of many countries adopting the United Nations Framework Convention on Climate Change (UNFCCC). In 1997 the Kyoto protocol was adopted which like the UNFCCC is an international agreement whose signees were committed to certain targets in the reduction of GHG emissions. The Paris Agreement is also an example of a milestone agreement to address climate change even more forcefully and to increase and improve actions and undertakings for the sustainable reduction of GHG's. The UNFCCC secretariat regularly holds negotiating sessions as well called Conference of the Parties (COP) for the same (the latest one was held in November 2021).

In a recent report IPCC has concluded that the world must remain limited to a temperature increase of 1.5°C. A press release issued by this body says:

Limiting global warming to 1.5°C would require rapid, far reaching and unprecedented changes in all aspects of society...With clear benefits to people and natural ecosystems, limiting global warming to 1.5°C compared to 2°C could go hand in hand with ensuring a more sustainable and equitable society...(8 Oct 2018, [ipcc.ch/news_and_events/pdf/press/PR_SROCC-SRCCL_review_final.pdf](https://www.ipcc.ch/news_and_events/pdf/press/PR_SROCC-SRCCL_review_final.pdf))

Limiting global warming in this way and undertaking responses that check rising temperatures requires what have come to be known as mitigation efforts. Reducing the causes of climate change such as carbon emissions are covered by mitigation. Though the above-mentioned agreements may set down some guidelines and methods of proceeding with attaining mitigation targets, eventually the governments of countries have to take on the mantle of applying the guidelines and making suitable changes, say by increasing subsidies on solar and wind power or increasing taxation on vehicles to curb their demand and so on.

Another method of addressing climate change is through adaptation. This can include all actions that are undertaken to adapt or adjust to the effects of climate change. These may

include managing and safeguarding of forests and ecosystems and protecting species, planning for situations of food and water shortages, developing crops that are flood or drought resistant, fortifying of coastlines such that can survive rising sea levels and developing infrastructure that withstands harsh weather conditions.

Both the level and type of adaptation and mitigation have the scope of becoming moral issues as soon as questions are posed about how nations and individuals ought to contribute to them. It is ethicists that opine whether the contribution will be based on the history of carbon emissions or on their GDP and finances or on the number of persons that may suffer as a result. These tough questions are hard to answer and subject to much disagreement. The agreements mentioned above are thus are fraught with difficulty, dogged by disagreement and argument. However, time is fast running out and the climate crisis needs to be attended to urgently both by nations and by individuals.

3.8 LET US SUM UP

By extending the limits of morality to non-human beings, most forms of environmental ethics go beyond earlier traditional moral views that were limited to human beings alone. The earth is home to humans and non-humans and considerations of extension appear legitimate. Environmental ethicists have adopted other approaches too that provide alternative ways of reviewing the rightness and wrongness of actions concerning the natural world. However, whatever the approach, recognizing and respecting the value of nature remains primary.

The state of the environment is precarious. Climate change poses the ultimate threat to life as we know it. It goes without saying that the effort of communities and nations ought to be directed towards doing everything that is necessary to limit global warming and safeguard ecological health. But this does not lessen the role of individuals. Eventually individuals will have to find and adopt behaviours that are less selfish and more attuned to the greater good of the planet.

3.9 KEY WORDS

Anthropocentrism: Anthropocentrism is human centeredness and implies that only humans have moral value or that humans matter the most.

Biocentric ethics: This ethics extends moral status to all entities that are living and in doing so questions the narrow range of anthropocentric ethics.

Climate change: Sustained change in climate and weather patterns over a period of time is referred to as climate change.

Ecocentric ethics: This is a holistic ethics that values the whole of nature (including ecosystems) rather than individuals.

Intrinsic value: When an object or entity is valued for itself and not for its usefulness, then it is said to have intrinsic value

Sentience: The dictionary meaning of sentience is the capacity for sensation and feeling. In environmental ethics sentient beings have come to signify (particularly through the work of Peter Singer) those that can feel pleasure and pain or are able to enjoy and suffer.

3.10 FURTHER READINGS AND REFERENCES

- Elliot, Robert (1993). "Environmental Ethics." In *A Companion to Ethics*, edited by Peter Singer, 284-293. Oxford: Blackwell Publishers.
- Gardiner, Stephen M., Simon Caney, Dale Jamieson and Henry Shue (eds.) (2010). *Climate Change: Essential Readings*. Oxford: Oxford University Press.
- Jamieson, Dale (2008). *Ethics and the Environment: An Introduction*. Cambridge: Cambridge University Press.
- O'Neill, John (2003). "Varieties of Intrinsic Value." In *Environmental Ethics: An Anthology*, edited by A. Light & H. Rolston III, 131-142. Oxford: Blackwell Publishing, pp. 131-142.
- Regan, Tom (1985). "The Case for Animal Rights." In *Defence of Animals*, edited by Peter Singer, 13-26. Oxford: Blackwell Publishers.
- Schmitz, David and Elizabeth Willott (eds.), (2002). *What Really Matters, What Really Works*. New York: Oxford University Press.
- Singer, Peter (2002, reprint). "All Animals Are Equal." In *Environmental Ethics: What Really Matters, What Really Works*, edited by D. Schmitz and E. Willott, 12-27. Oxford, Oxford University Press.

Websites

Environmental Ethics: <https://www.iep.utm.edu/envi-eth/>

Climate change and IPCC: <http://www.ipcc.ch/>

3.11 ANSWERS TO CHECK YOUR PROGRESS

Check your Progress I

1. Environmental ethics may be defined as a form of applied ethics that determines the rightness and wrongness of actions directed towards the natural world. It finds out whether criterion can be found to question actions such as the cutting of trees and hunting of animals. Thus, as a discipline environmental ethics seeks to find principles and norms that would guide us in answering moral questions that are raised when human beings interact with nature.

Check your Progress II

1. An animal-centred ethics extends moral concern to human beings and animals. Animal-centrists believe that animals should be included either because they are sentient (have the capacity to feel pain or pleasure) or because they have rights (given that they experience life). Animal-centred views vary from radical to more moderate versions where equal interests may be treated equally. Lower life forms without sentience such as plants are therefore not included in this reckoning. Biocentric ethics, on the other hand, extends moral concern to all life forms including plants. Plants are included as they struggle for survival and they can be benefited or harmed whilst pursuing their good. A strong biocentrism can argue for the equal consideration of all living beings (egalitarianism) but a weaker one may consider interests differentially.

Check your Progress III

1. Climate change is a historical fact and refers to the sustained changes in climate and weather conditions over time. However, of late it has become an issue of great anxiety as slow alterations have been replaced by unprecedented, rapid changes. The cause is considered to be an increase in green-house gases such as carbon dioxide and methane that regulate the earth's temperature. And the cause of these increased gases in turn is anthropogenic i.e., due to human activities. The industrial revolution boosted production manifold. It also laid the ground for a fossil-fuel based economy which went hand in hand with carbon emissions. Carbon emissions from industrial activity have increased exponentially as the years have gone by. Other human activities and life style choices have also added fuel to fire – what we

eat, how we travel and what we buy are all largely to blame for worsening the global warming threat.



UNIT 4 ETHICS AND TECHNOLOGY*

Structure

- 4.0 Objectives
- 4.1 Introduction
- 4.2 Technology and Innovation
- 4.3 Values involved in Technology
- 4.4 Information Technology and its common concerns
- 4.5 Need of Ethics in the domain of Technology
- 4.6 Applying Ethics in Technological Developments
- 4.7 Two Ways of Doing Applied Ethics in Technology
- 4.8 Let us Sum Up
- 4.9 Key Words
- 4.10 Further Readings and References
- 4.11 Answers to Check Your Progress

4.0 OBJECTIVES

The main objectives of this unit are,

- to explore the possible engagement between Ethics and Technology,
- to see whether technology impedes the core human values or not,
- to explore and analyse ethical issues in the light of value-based philosophical.

4.1 INTRODUCTION

Since technological advancements have been followed by relevant philosophical analyses that comprises of new approaches to the role of values in general, and ethical values in particular, the most recent accounts of technology involve its being accepted as value-laden, instead of its characterization as value-neutral. We observe primarily two sets of values in relation to technology, namely internal values and external values. Internal values are those that affect objectives, processes and outcomes of technology. Internal values are often perceived by engineers as internal to engineering technology, and its practice that includes values like technological enthusiasm, effectiveness and efficiency, reliability, robustness, maintainability and rationality. External values relate to effects of technology outside of the practice of

* Dr. Walter Menezes, Assistant Professor of Philosophy, School of Sanskrit, Philosophy and Indic Studies, Goa University, Taleigao Plateau, Goa.

engineering. External values are social, cultural, economic and ecological. Typical examples of external values are health and safety, human well-being, sustainability, and justice.

Internal values are often conceived as ends in themselves by engineers, while they are instrumental values in moral sense. The moral appropriateness of efficiency depends on the ends from which a technology is employed. External values like safety, health, and human well-being are considered final values; however to be effective in engineering, these values need to be internalized. While some values like safety and health have already been internalized in engineering over time, this internalization is now occurring or still to start for some other external values like human well-being, sustainability, and justice, thereby relevant technological developments are made morally acceptable. This proves that technology stands in a direct relation with ethical values, rather than being completely neutral from it.

4.2 TECHNOLOGY AND INNOVATION

The term “technology” comes from the Greek word “techne” which means a practical activity based on knowledge of experiences of the past and the present, which follows certain rules to get artistic products or to produce tools for useful purposes. It is a human undertaking that has higher aims than mere techniques, because technology is oriented towards creative transformation of previous reality (natural, social, or artificial) using scientific knowledge as well as specific technical knowledge. The product might be a noticeable change of nature (tunnel), a new kind of social reality (new social order in a country) or a visible artifact (an aircraft).

Technology includes variety of components. (1) It has its own language, due to its attention to internal constituents of the process (design, effectiveness, efficiency, etc.) and external factors (social, ecological, aesthetical, cultural, political, etc). (2) The structure of technological system is articulated on the basis of its operability, because technology should guide the creative activity of the human being that transforms nature, social reality, or artificial items. (3) The specific knowledge of the technological undertaking-know how- is instrumental and innovative: this kind of knowledge seeks to intervene in an actual realm, to dominate it and it employ it in order to serve human agents and society. (4) The method used is based on an imperative-hypothetical argumentation (Argumentation based on hypothetical imperative, “hypothetical imperative, in the ethics of the 18th-century German philosopher Immanuel Kant, a rule of conduct that is understood to apply to an individual only if he or she desires a certain end and has chosen (willed) to act on that desire.” <https://www.britannica.com/topic/hypothetical-imperative>). There are values regarding the

aims chosen and accompanying the technological processes. These values could be internal (such as realizing the goal at the lowest possible cost) and external (social, political, ecological, etc). They establish the conditions of viability of possible technology and its alternatives. (6) The reality itself of the technological process is supported by social human actions, which are based on intentionality oriented towards the transformation of the surrounding reality. (7) There are ethical values endogenous to technology, in so far as it is free human activity, and there are also exogenous values to the aims, processes, and results of technology, because this is a human undertaking developed in a social milieu. Hence, technology can be seen as a human activity, oriented to obtain creative and transformative domain of that reality-natural, social or artificial-on which it is working.

Technology is dynamic and innovative. The set of aims, processes, and results (products or artifacts) sought by technology belong to a dynamic framework. On the other hand as long as technology is a creative transformation of reality, innovation remains to be its crucial faculty. Innovation, as the characteristic feature of technology always replaces an outdated technology and brings changes in its various aspects, namely, technological designs, final products of artifacts obtained or replacing altogether into a new technology. Sometimes it precedes actual demands of the users for the new product.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is technology?

2. Examine the role of innovation in technology?

4.3 VALUES INVOLVED IN TECHNOLOGY

Technological progress and Innovation depends upon two basic values, namely, internal and external. Technology being different from other human activities such as philosophy, science and art, its structural dimension involves taking into account a set of aspects, three of which are: (i) technology as a human knowledge, (ii) technology as a social undertaking oriented towards the creative transformation of reality, and (iii) technology as a product or artifact. Unquestionably, technology is a human knowledge that needs to choose aims. This selection is made in order to develop processes that are oriented towards the achievement of concrete results. In this regard, the knowledge “That” (descriptive), knowledge “How” (operative), and the knowledge “Whether” (evaluative) are involved. In effect, technology requires some scientific knowledge (That, descriptive), a specific technological knowledge (How, operative), and the knowledge about what is preferable instead of that merely preferred (Whether, evaluative). In this latter sphere of knowledge which is the evaluative rational values have a role related to the technological designs and the methodology used to develop such designs. In other words, technology, in choosing its aims and objectives requires some scientific knowledge, a specific technological knowledge, and the knowledge about what is preferable instead of that merely preferred. Accordingly each of these three important approaches to technology—as knowledge, human undertaking, and product or artifact—involves two main categories of values according to its status: “internal” and “external.”

4.3.1 Internal Values

Internal values are those that belong directly to technology itself or a specific technology (e.g., information technology), such as values regarding the design, the processes, and the results. They contribute directly to what technology is and ought to be. The values are “internal” in so far as they are endogenous for any technology or a particular version of it. Thus, they might be crucial for the possibility, operability, and availability of a technology (communicative, naval, spatial, industrial, civil, mines, etc.). In addition, these values are commonly considered by the agents that build up technology. Hence internal values are those that are perceived by engineers as internal to engineering practice and that do not refer to broader social goals and values. Internal values are typically context-independent, in the sense that they are relevant in various contexts of use. A typical example of internal value is

efficiency; which is an important value in engineering independent from the exact technology or the exact context of usage. Similarly, a value like technological enthusiasm is more or less independent from the technology developed. Internal values are often, although not necessarily always, perceived as final by engineers, i.e. as value that are strived for their own sake. However, as we will see below from moral point of view internal values are usually not final values.

4.3.1.1 Technological Enthusiasm

Technological enthusiasm is one of the internal values to the technology pertaining to the ideal of wanting to develop new technological possibilities and take up technological challenges. This is an ideal that motivates many engineers. One good example of technological enthusiasm is the development of Google Earth, a program with which, via the internet, it is possible to zoom in on the earth's surface. It is a beautiful concept but it gives rise to all kinds of moral questions, for instance in the area of privacy (where we can study other persons backyard activities in great detail) and in the field of security, as terrorist could use it to plan attacks. In a recent documentary on the subject of Google Earth one of the program developers admitted these important questions. Nevertheless, when developing the program these were matters that the developers had failed to consider because they were so driven by the challenge of making it technologically possible for everyone to be able to study the earth from behind his or her PC (Personal Computer). Technological enthusiasm in itself is not morally improper; it is in fact positive for engineers to be intrinsically motivated as far as their work is concerned. The inherent danger of technological enthusiasm lies in the possible negative effects of technology and the relevant social constraints being easily overlooked.

4.3.1.2 Effectiveness and Efficiency

Effectiveness and efficiency are other two internal values pertaining to technology that engineers strive to pursue. Effectiveness can be defined as the degree to which an artifact fulfills its function. Efficiency could be defined as the ratio between the degree to which an artifact fulfills its function and the effort required to achieve that effect. Efficiency in the modern sense is usually construed as an output/input ratio. The energetic efficiency of a coal plant may thus be defined as the ratio between the energy contained in the power produced and the thermal energy contained in the unburnt coal. Effectiveness and efficiency are different values that may well conflict. The design that most effectively fulfill is its intended function may not necessarily be the most efficient one. A very effective vacuum cleaner that

removes more dust than a less effective one may nevertheless be less energy-efficient, that is to say, it may use more energy per unit of dust removed than the less effective vacuum cleaner. So, we may be faced with a conflict between effectiveness and efficiency. The drive to strive towards effectiveness and efficiency is an attractive value for engineers because it is apparently neutral and objective. It does not seem to involve any political or moral choices, which is something that many engineers conceive as subjective, and therefore wish to avoid. Efficiency is also something that contrasts, for example, with human welfare. Efficiency is an ideal that endows engineers with authority because it is something that one can hardly oppose and that can seemingly be measured objectively. From a moral point of view however efficiency and effectiveness are not always worth pursuing. That is because effectiveness and efficiency suppose an external goal in relation to which they are measured. That external goal can be to consume a minimum amount of non-renewable natural resources to generate energy, but also war or even genocide. It was no coincidence that Nazi bureaucrats like Eichmann were proud of the efficient way in which they were able to contribute to the so called 'resolving of the Jewish question' in Europe which led to the murdering of six million Jews, and other groups that were considered inferior by the Nazis like Gypsies and patients with mental health issues. The matter of whether effectiveness or efficiency is morally worth pursuing therefore depends very much on the ends for which they are employed. So, although some engineers maintain the opposite view, yet the measurement of the effectiveness and efficiency of a technology is value-laden. It proposes a certain goal for which the technology is to be employed and that goal is value laden.

4.3.2 External Values

External values are values that are related to effects of technology on other practices. Typical examples are safety, health and sustainability. They typically refer to broader human, social, environmental and political goals. External values are final in a moral sense. Although external values find their origin outside the engineering practice, they may be internalized, for example, through technical codes and standards. This has typically happened with a value such as safety, and is increasingly happening with sustainability, which would aid its long-term success.

4.3.2.1 Safety and Health

Safety and health are without doubt among the main external values in engineering. Most US codes of ethics declare these values to be paramount in engineering. Safety is sometimes defined as the absence of risk and hazards. Even if risk reduction is not feasible it may not be

desirable from a moral point of view. Reducing risk often comes at a cost. Safer products may be more difficult to use, more expensive or less sustainable. Yet it is a general human belief that whatever is harmful for our existence should not be pursued.

Health is defined as “state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (World Health Organization 2006). In engineering, the focus is usually on avoiding negative influences on human health. The possibilities of new technologies, like biotechnology and nanotechnology, have also led to a debate on whether technology should only aim at curing illness and perhaps improving health or should also contribute to improving humans and their achievements. The latter is known as human enhancement. However, there is a debate on the morality of human enhancement.

Health and safety are often seen as final values from a moral point of view. It might also be argued that these values are not really valuable in themselves but rather contribute to the good life, and therefore, their contribution is constitutive of the overarching value of human well-being.

4.3.2.2 Human well-being

Several engineering codes of ethics state that ‘engineers shall use their knowledge and skill for the enhancement of human welfare’. Also, in other engineering texts and methods, one finds references to external values like human welfare, happiness, quality of life, human flourishing, the good life, and well-being. In moral philosophy, human well-being is generally seen as a final value, that is worthwhile for its own sake, rather than to achieve something else. The general belief is that technology is meant for humans and not vice-versa.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Write a short note on Internal & External value?

4.4 INFORMATION TECHNOLOGY AND ITS COMMON CONCERNS

Since the domain of technology is multi-facted, in this section we will be specifically focussing upon some common concerns of Information Technology, which has become a necessary part of our day to day lives. In the midst of many technological breakthroughs in recent years the importance of ethics and human values has been underemphasized. IT has grown rapidly due to its ability to capture and store a vast amount of personal data on the web, and display or auction it for public consumption. Some of the common issues in information technology, as an example are:

4.4.1 Privacy

Privacy is a fundamental right of individuals and is an essential condition for the exercise of self-determination. The ability to control personal information is an important factor in sustaining privacy. Organizations are increasingly computerizing the processing of personal information. This may be without the consent or knowledge of the individuals concerned. There has been a growth in databases holding personal and other sensitive information in multiple formats of text, pictures and sound. The scale and type of data collected and speed of data exchange have changed with the advent of computers. The potential to breach people's privacy at less cost and to greater advantage continues to increase. Computer privacy is a new twist on an old ethical problem and involves issues which have not been previously raised or cannot be predicted.

4.4.2 Inappropriate Sharing of Information

Every organization stores vast amounts of information that can be classified as either private or confidential. Private data describes individual employees-for example, their salary information, attendance data, health records, and performance ratings. Private data also includes information about customers credit card information, telephone numbers, home address, and so on. Confidential information describes company and its operations including sales and promotion plans staffing projects, manufacturing processes, product formulas, tactical strategic plans and research development. An IT user who shares such information with an unauthorized party violates someone's privacy and places the fortunes of company into the hands of competitors. For example, if an employee accessed a coworker's payroll records via human resources computer system and then discussed them with his friend; it would amount to violation of the coworkers' privacy.

Exceptions: However, sometimes individuals have to give up some of their personal privacy in order to achieve some overall social benefit. For example, a social services department might hold sensitive information about individuals that provides an accurate profile of individual tendencies, convictions and so on. The sharing of this data with, for example, the local education authority in cases of child sex offenders living in the area might be considered morally justified even though it might breach individual privacy. Balancing the rights and interests of different parties in a free society is difficult. The acceptable balance will be specific to the context of a particular relationship and will be dependent upon trust between concerned parties and subscription to the principle of informed consent. This balance might incur the problem of protecting individual privacy while satisfying government and business needs. Such problems are indicative of a society that is becoming increasingly technologically dependent.

4.4.3 Digital Divide

Digital divide policy attempts to provide technological tools and develop community organizations that respond to a perceived lack of access or lack of information among supposed technological have-nots. Against their creators best intentions, however, many digital divide programs actually work to restrict the scope of the high-tech equity agenda because they rely on a difficult orientation that labels neighborhoods ‘poor’ or ‘undeserved’ and therefore underestimate the considerable resources, skills, and experiences of these communities. These programs can obscure how powerful trapped in the digital divide institutions such as the criminal justice system, the social service system, and the low-wage workplace operate to structure people’s relationship to IT. They also privatize and individualize high-tech equity issues as access issues, limiting opportunities for social mobilization. Most technology policy, firmly planted in the tradition of universal access, ignores non-distributional issues and misrepresents the empirical realities of living in the information age, offering individualized and market solutions to broadly structural problems. The overreliance on the distributive paradigm in digital divide policy and programming is at the heart of our inability to recognize and address some of the most pressing social justice issues of the information age.

4.4.4 Inappropriate Use of Computing Resources

Some employees use their computers to surf popular web sites that have nothing to do with their jobs, participate in chat rooms, view pornographic sites, and play computer games. These activities eat away at work productivity and waste time. Furthermore, activities such as

viewing sexually explicit material, sharing lewd jokes, and sending hate email could lead to lawsuits and allegations that a company allowed to work environment conducive to racial or sexual harassment. Organizations contact millions of people worldwide through unsolicited email as an extremely low cost marketing approach. Hackers break into databases of financial and retail institutions to steal customer information, and commit identity theft to make purchases on carry out business on another's name. Students around the world have been caught downloading materials from the web and plagiarizing content for their term papers. Website plant cookies or spyware on visitors' hard drives and track their online purchases and activities.

4.5 NEED OF ETHICS IN THE DOMAIN OF TECHNOLOGY

We have seen that the aims, processes and results of technology have tangible consequences for the citizens, markets and organizations. The reason is clear: technology is oriented towards the creative transformation of the reality. Thus, its design looks to change existing reality (natural, social, or artificial) to produce new results. When the product is an artifact (airplane, automobile, computer, cell phone, tablet, etc.), the lives of the members of society can be directly affected. These changes might favor social development or they may be against the common good of citizens. External values can have a role in the three main stages of the technological doing. (1) They can intervene in the design, because technology uses scientific knowledge (know that), specific technological knowledge (know how), and evaluative knowledge (know whether). Thus, technology can take into account exogenous values (social, economic, ecological, etc.) in the design. This "external" task is clear in many technological innovations (smart phones, tablets, large airplanes, etc.), because they should consider the users of the product and the potential economic profitability of the new artifact. (2) The technological processes are developed in public or private enterprises, which are organized socially according to some values (economic, cultural, political, etc.) and with an institutional structure (owners, administrators, etc.) (3) The final result of technology is a human-made product (commonly, an artifact) to be used by society, and it has ordinarily an economic evaluation in markets and organizations. Thus, in so far as technology is ontologically social as a human doing, it can be evaluated according to values accepted in the society. Furthermore, its product is commonly an item for society (even in the case of technology regarding nature, such as in the case of a tunnel). Moreover, the criteria of society have a considerable influence in promoting some kind of technological innovations (with their patents) or an alternative technology (with a new design, processes and product).

Frequently, from the perspective of external values, technology is viewed with concern, especially in the case of recent phenomena (e.g., in accidents related to nuclear energy, the use of biotechnology with human beings, the nano-technological risks, or in the dangers of new technologies such as hydraulic fracturing). These external values are very influential in the reflection on the limits of technology, when philosophy asks for the bounds or ceiling of technology. This analysis of the terminal limits of technology should take into account the internal values as well as the external values (social, cultural, political, ecological, aesthetic, economic, etc.). In this regard, philosophy of technology considers the external values in the context of a democratic society interested in the well-being of its citizens, thinking that their members can contribute to decision making (e.g., by means of associations or through the members of the parliament). The study of the limits of technology includes the prediction of what technology can achieve in the future, but also require the prescription of what should be done according to certain values. This prescriptive dimension of the external values of technology is more noticeable with there are clear risks for society at stake, either for the present or for the future. Frequently, behind the analysis of values in technology, there are some influential philosophical orientations regarding what technology is and ought to be.

4.6 APPLYING ETHICS IN TECHNOLOGICAL DEVELOPMENTS

Although ethics is not just a feeling, any attempt to seek for a single ethical system or for a single answer for moral questions is likely to be met by the casual observer with the claim that ‘there are no objectively right or wrong answers to moral questions; they are just a matter of what people feel’. This observer, it should be noted, has effectively proposed a system for ethics-that one should act in accordance with one’s feelings-on the basis of strong objective claim about the nature of ethics that there are no right or wrong answers. Unless the observer is to lapse into self-contradiction by claiming that all truth is just a matter of what people feel (i.e. by claiming that this is an accurate or true description of reality), s/he has also, at least, made the general nature of ethics the subject of rational argument. This becomes clear if we disagree with her claim because she would not be able to resort to commonly agreed canons of sound reasoning, in order to seek to demonstrate the truthfulness of her position. Therefore, moral relativism cannot be sustained for long, as it is self-contradictory. In order that we chose right kind of ethical values that do not encroach upon others rights we have to choose a particular ethical position, and judge our technological innovation accordingly.

4.6.1 Applying Normative Theories

What does the term “applied” in “applied ethics” signify? It can be instructively compared to other applied disciplines. In applied mathematics, a mathematical theory is used to solve some problem outside of pure mathematics. The theory itself is not changed or significantly extended in the process of its application. In the same way, applied ethics can be seen as a discipline, or collection of disciplines, in which moral theory is used as a tool to solve moral problems in various practical areas. Some moral philosophers have indeed furthered that approach. Bernard Gert (1982) defined applied ethics as “the application of an ethical theory to some particular moral problems or set of problems.” The most renowned proponent of this view is Peter Singer, who advocates the use of utilitarian moral theory to determine what is right and wrong in bioethics and other areas of applied ethics. However, most researchers in the various areas of applied ethics, including the ethics of technology, do not seem to concur. There are at least three serious problems with the idea that area-specific ethics should consist in the application of an ethical theory.

4.6.1.1 Choice problem

The first of these is the theory choice problem. There are quite a few moral theories around, and despite centuries of discussion moral philosophers have not managed to agree on which of them is right. To put it somewhat bluntly, moral philosophers tend to agree that one of the available moral theories is the one and only, correct theory. However, they do not agree on which is that theory. For applied ethicists, the prevailing disagreement on which is the right moral theory can make the approach of “applying moral theory” seem arbitrary. This is in sharp contrast to applied mathematics and physics, both of which build on thoroughly validated theories that are not subject to serious doubt.

4.6.1.2 Derivation problem

The second problem is the derivation problem. For a moral theory to be useful in the intended way for applications, it would have to provide sufficient information for determining what is right and wrong in the various practical cases that applied ethicists are expected to analyze. When we have the facts of a case, it should be possible to combine these facts with the theory in question and derive univocally a determinate answer to our moral questions. However, this type of derivation does not usually work in practice, since fundamental moral theories have surprisingly little to say on the problems that are the focus in applied ethics. One can for instance find a utilitarian and a deontologist who agree on most of the ethical issues in health care, although they have different underpinnings for their standpoints. The reason for this is

that moral theories operate on an abstract level, and most practical moral problems cannot be connected in an unequivocal way to principles or standpoints on that level.

4.6.1.3 Novelty problem

Thirdly, we have the moral novelty problem. Ideally, moral theories are thought of as timeless. If there is a unique, correct moral theory, then a sufficiently sagacious ancient thinker should—in principle—have been able to discover it. But the timelessness of moral theories can be put to serious doubt. Developments in human society unceasingly provide us with moral novelties, that is, new problems that cannot be solved with the existing moral theories. Some of the most pressing problems in modern medical ethics, such as brain death, and human enhancement, require considerations of issues that had not been covered in previously presented moral theories. The problem of moral novelties is pervasive in the ethics of technology, due to its strong focus on new and emerging technologies, some of which have aspects that preexisting moral theories do not cover. This can be seen, for instance, from the discussions on information technology, virtual reality, space travel, and biotechnology, all of which refer to issues not foreseen in preexisting moral theories. Here as well we can note a stark contrast to mathematical and physical theory, both of which have a strong claim to timelessness.

Applied ethics is far from the only applied discipline that fails to satisfy the strict definition of application referred to above. Most forms of applied science include the creation of genuinely new theory, for the simple reason that the theories developed in the basic sciences do not suffice for solving the applied problems. This is true, for instance, of applied linguistics and applied psychology. Arguably, application in the strict sense of using a theory as a tool without changing it is only possible if the theory in question is broad and exceptionless enough to cover unaided a whole area of knowledge. As we have seen, a strong case can be made that ethical theory in its current form is not suitable for pure application. This does not necessarily mean that we should give up the term “applied ethics,” but we may have to define it differently than what we did above. The word “apply” also has the more general meaning of putting something to use. The ethics of technology is certainly ethics put to use, and the same is true of medical ethics, research ethics, etc. If application is interpreted in this way, as putting to use, then the term “applied ethics” is uncommitted on what role—if any—moral theory should have. However, before throwing moral theories overboard, we need to consider carefully what we want to put in their place. Academic ethics should be able to provide a systematized account of our well-considered moral judgments and their

implications. Moral theories are highly useful to achieve such systematicity. Presumably, we do not wish to be thrown back to just collecting and reporting prevailing moral opinions on the various issues we are studying. If we give up the idea of conducting applied ethics as a straightforward application of moral theory, then we need to find either some other way to use moral theories, or some other means than moral theories to achieve systematicity and cohesion.

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Write a short note on the derivation problem.

4.7 TWO WAYS OF DOING APPLIED ETHICS IN TECHNOLOGY

This section will discuss two ways of doing applied ethics in technology. The two ways are,

1. Tempered use of moral or ethical theories, 2. Replacement of moral or ethical theories.

4.7.1 Tempered Use of Moral Theories

At the very minimum, we can use concepts developed in various moral theories as tools in our moral analysis. This will provide us with conceptual tools to express moral issues and standpoints with more precision than by using what is available in everyday language. Terms such as prima facie rights, residual obligations, supererogatory actions, moral luck, and a host of others can be used to describe issues and standpoints more accurately and to characterize the similarities and differences between different cases. This is one of the reasons why studies of moral philosophy are a necessary prerequisite for professional competence in applied ethics. Stepping up our usage of moral theories, we can employ their central thought patterns as tools in our moral analysis, without assigning absolute precedence to any of these

thought patterns. For instance, utilitarianism can be seen as a precise and exclusive version of a common thought pattern in colloquial moral reasoning—namely, that of weighing advantages and disadvantages against each other. Even if we do not put such weighing on top of all moral considerations, we have its use for important distinctions from utilitarian theory about the conduct of weighing, for instance: Should only material consequences of our options be put on the scale, or should they be joined by nonmaterial effects such as rights infringements? Should the weights be determined by the individual concerned or by uninvolved observers? Should the interests of all persons be included (as required by utilitarianism) or only those of particularly concerned persons (such as patients in medical ethics)? Similarly, deontology systematizes the everyday concept of limits to what one may or may not do, contract theory the everyday notion of adhering to agreements and commitments, and virtue ethics the everyday ideal of developing one's moral character and doing what one's best self would do.

Even if we do not give one of these thought patterns priority over all the others, we have much use for their more rigorous versions that have been developed in moral theories. Moral theories are given an even more important role in the method of searching for a reflective equilibrium. In a general sense, a reflective equilibrium is a state of mind that is sufficiently thought through so that additional thinking will not lead to any changes in standpoints. It can be described as a stable state or a state in which coherence has been achieved. In ethics, the area in which the notion of a reflective equilibrium has been most influential, the focus is on the relationship between our judgments on individual cases and our more general moral standpoints as expressed in moral theories. Proponents of a reflective equilibrium maintain that our specific and general judgments should be adjusted to each other, rather than one of them being given precedence over the other. The term “reflective equilibrium” was coined by John Rawls (1971), who also put this method to effective use in developing his theory of social justice. In subsequent discussions, distinctions have been made between several variants of reflective equilibria, most importantly between narrow and wide reflective equilibria (Rawls 1974). A narrow reflective equilibrium is achieved when we deliberate on a single case or a small group of (real or hypothetical) cases in relation to a moral theory, arriving through mutual adjustment at a coherent theoretical account of these cases. A wide reflective equilibrium covers our moral beliefs in full generality, and will therefore have to be based on deliberations potentially including all our ethical judgments and principles. In applied ethics, the focus is usually on narrow reflective equilibria. Unsurprisingly, appeals to

reflective equilibria have been criticized by proponents of moral theories, who deny that our intuitive judgments about particular cases should induce adjustments of fundamental moral theory. Reflective equilibria have also been denounced by moral particularists, who dismiss moral theories altogether. Even some philosophers who recognize the pertinence of both particular and general moral judgments have pronounced severe doubts about reflective equilibria. However, in spite of these limitations, many researchers in applied ethics have found the ideal of a reflective equilibrium to be a useful tool for dealing with disaccord between particular judgments and general moral principles.

4.7.2 Replacement of Moral Theories

Another response to the difficulties in using moral theories in area-specific work is to replace them by principles that provide more distinct guidance in the respective areas. This is the approach commonly taken in medical ethics, whose “standard” approach is based on the following four principles: Autonomy: “Personal autonomy is, at a minimum, self-rule that is free from both controlling interferences by others and from limitations, such as inadequate understanding, that prevent a meaningful choice.” Non-maleficence: “The principle of non-maleficence asserts an obligation not to inflict harm on others.” Beneficence: “Morality requires not only that we treat persons autonomously and refrain from harming them, but also that we contribute to their welfare.” Justice is “fair, equitable, and appropriate treatment in light of what is due or owed to persons.” These principles form the basis of the ethical education of most physicians and other health-care personnel, and they are continuously referred to in ethical committees around the globe. The term “principlism” was introduced by Clouser and Gert (1990) to denote the ethical discourse that is based on them. The four principles are usually conceived as intermediate between “low-level” particular judgments and “high-level” moral theories such as utilitarianism and deontology. However, the practical employment of the four principles does not hinge on their inclusion in a larger structure that also includes some moral theory. Probably, most users of the principles lack a determinate opinion on which—if any—higher-level criterion they should be combined with. As should be fairly obvious, there are situations in which the four principles run into conflict. There are no generally accepted guidelines for how to deal with such conflicts. Consequently, principlism differs from moral theories in lacking an all-encompassing mechanism for adjudicating between competing moral arguments. Instead, case-based intuitions about the relative importance of the principles will have to be resorted to. Largely for that reason, principlism tends to be less popular among moral philosophers than among practicing

physicians. The following is a forceful expression of that criticism: Our general contention is that the so-called “principles” function neither as adequate surrogates for moral theories nor as directives or guides for determining the morally correct action. Rather they are primarily chapter headings for a discussion of some concepts which are often only superficially related to each other. The principles of Rawls and Mill are effective summaries of their theories; they are shorthand for the theories that generated them. However, this is not the case with principlism, because principlism often has two, three, or even four competing “principles” involved in a given case, for example, principles of autonomy, justice, beneficence, and nonmaleficence. This is tantamount to using two, three, or four conflicting moral theories to decide a case. Indeed some of the “principles”—for example, the “principle” of justice—contain within themselves several competing theories. Some ethicists have wished to apply principlism to the ethics of technology. However, it has not always been realized that—with the possible exception of the ethics of medical technology—this will require extensive reworking of the principles. A major reason for this is that clinical decision making has its focus on an individual patient, whereas decisions on technology often concern large and diverse groups of people who may well have conflicting interests. For instance, the practice of informed consent cannot be transferred from clinical medicine to the context of technological innovation and development, since it would give single individuals veto power to stop projects with large advantages for many others (Hansson 2006). The formulation of principlism for (various forms of) technology remains to be performed. It may very well be a worthwhile undertaking.

4.8 LET US SUM UP

We began by saying that technology is value laden. However we have discovered that Technology cannot be seen from the confines of absolute value system. The pervasive role of modern technology and its particular importance in the development of sophisticated weapons means that scientists cannot avoid facing their ethical implications. One viable solution is that just as technology is dynamic, ethical aspects of technology would largely depend upon particular instances at hand.

4.9 KEY WORDS

Technology: The term “technology” comes from the Greek word “techne” which means a practical activity based on knowledge of experiences of the past and the present, which follows certain rules to get artistic products or to produce tools for useful purposes.

External Values: External values are values that are related to effects of technology on other practices. Typical examples are safety, health and sustainability.

Internal Values: Internal values are those that belong directly to technology itself or a specific technology, such as values regarding the design, the processes, and the results.

4.10 FURTHER READINGS AND REFERENCES

- Cooley, Dennis R. *Technology, Transgenics and a Practical Moral Code*. New York: Springer, 2010.
- Cotton, Matthew. *Ethics and Technology Assessment: A Participatory Approach*. Berlin: Springer-Verlag, 2014.
- Gonzalez, Wenceslao J. (ed.). *New Perspectives on Technology, Values, and Ethics*. Switzerland: Springer, 2015.
- Gordon Graham. *Theories of Ethics: An Introduction to Moral Philosophy with a Selection of classic Readings*. London: Routledge, Taylor & Francis Group, 2011.
- Hanson, Sven Ove (ed.). *The Ethics of Technology: Methods and Approaches*. London: Rowman & Littlefield, 2017.
- Jamieson, Dale. *Ethics and the Environment: An Introduction*. Cambridge: Cambridge University Press, 2008.
- Peterson, Martin. *The Ethics of Technology: A Geometric Analysis of Five Moral Principles*. New York: Oxford University Press, 2017.
- Poel, Ibo Van De & Lamber Royakkers. *Ethics, Technology, and Engineering: An Introduction*. London: Wiley-Blackwell Publications, 2011.
- Schultz, Robert A. *Contemporary Issues in Ethics and Information Technology*. London: IRM Press, 2006.
- Spier, Raymond E. *Science and Technology Ethics*. London: Routledge, 2002.
- Spier, Raymond. *Ethics, Tools, and the Engineer*. London: CRC Press, 2011.
- Reynolds, George W. *Ethics in Information Technology*. Australia: Cengage Learning, 2015.
- Tavani, Herman T. *Ethics and Technology: Controversies, Questions, and Strategies for Ethical Computing*. US: John Wiley & Sons, Inc, Rivier University -Fifth Edition, 2016.

4.11 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. The term “technology” comes from the Greek word “techne” which means a practical activity based on knowledge of experiences of the past and the present, which follows certain rules to get artistic products or to produce tools for useful purposes. technology is oriented towards creative transformation of previous reality (natural, social, or artificial) using scientific knowledge as well as specific technical knowledge.
2. As long as technology is a creative transformation of reality, innovation remains to be its crucial faculty. Innovation, as the characteristic feature of technology always replaces an outdated technology and brings changes in its various aspects, namely, technological designs, final products of artifacts obtained or replacing altogether into a new technology.

Check Your Progress II

1. Internal values are those that belong directly to technology itself or a specific technology (e.g., information technology), such as values regarding the design, the processes, and the results. They contribute directly to what technology is and ought to be. A typical example of internal value is efficiency; which is an important value in engineering independent from the exact technology or the exact context of usage.
External values are values that are related to effects of technology on other practices. Typical examples are safety, health and sustainability. Although external values find their origin outside the engineering practice, they may be internalized through technical codes and standards.

Check Your Progress III

1. For a moral theory to be useful in the intended way for applications, it would have to provide sufficient information for determining what is right and wrong in the various practical cases that applied ethicists are expected to analyze. When we have the facts of a case, it should be possible to combine these facts with the theory in question and derive univocally a determinate answer to our moral questions. However, this type of derivation does not usually work in practice, since fundamental moral theories have surprisingly little to say on the problems that are the focus in applied ethics.

Block 2

Ethical Debates

Block Introduction

Block 2 “Ethical debates” comprises of six units. Units of this block deal with practical issues we are hearing, facing and debating from a long time. Every time we think that the dilemma has been resolved, the question has been answered, but next moment comes up with another issue that challenges our understanding and conviction related to that particular issue.

Unit 5 “Euthanasia” aims at introducing students with the understanding of the concept of Euthanasia, contemporary debates and challenges around it.

Unit 6 “Suicide” deals with the issue of suicide. This unit explores and discusses, analyses the meaning of life, philosophers’ views on suicide, ethical and philosophical arguments on suicide.

Unit 7 “Reproductive Rights” deals with the subject matter of reproductive rights which consists in issues of choice, liberty, freedom, etc. which an individual has in deciding for themselves whether, when, with whome, and how to have a child.

Unit 8 “Terrorism” tries to present the concept of terrorism, history of terrorism, causes and consequences of terrorism and ethical issues and problems of terrorism.

Unit 9 “Capital Punishment” acquaints the students with the concept of death penalty or capital punishment. The unit tries to look at the definition of the term apart from its origins and arguments presented in support and against it.

Unit 10 “Animal Rights” tries to explore the concept of animal rights, the possibilities of animal rights, traditional views on animal rights, argument in favor of animal rights.

UNIT 5 EUTHANASIA*

Structure

5.0 Objectives

5.1 Introduction

5.2 Types of Euthanasia

5.3 Justification

5.4 Let Us Sum Up

5.5 Key Words

5.6 Further Readings and References

5.7 Answers to Check Your Progress

5.0 OBJECTIVES

The unit aims at introducing students with the understanding of,

- the concept of Euthanasia,
- contemporary debates and challenges around euthanasia.

5.1 INTRODUCTION

Euthanasia, comes under Applied Ethics, a branch of Philosophy that deals with the application of moral principles to practical life.

Applied Ethics or practical ethics came into use in the 1970's when philosophers began to address pressing moral issues in society and in professional ethics. Some common examples are abortion, euthanasia, racism, sexism, cloning, terrorism, unjust war, right to privacy among many others.

Many of the topics discussed in Applied ethics have their roots in ancient philosophy. Moral philosophers discussed these issues but they never got around to making or applying theories

*Dr. Sudnya N. Kulkarni, Associate Professor, Department of Philosophy, Janki Devi Memorial College, University of Delhi.

of morality to practical issues. It is not clear whether Applied Ethics came about as a result of the challenges that were faced when moral philosophical theories were found to be wanting in their application.

Applied ethics developed because many individuals working in the fields of medicine, law, engineering, scientific research, business came across issues which seemed to be a kind of an abuse and unfair and directed at particular groups. The issues that were raised by the civil rights movement, women's rights, animal rights, environmental issues, the right of the prisoners, human rights, rights of mentally disturbed persons, all stimulated the imagination of the philosophers and non- philosophers alike. Thus, in the 1970's and 80's a lot of philosophers started to focus their studies around these issues and as a result a lot of books were published which reviewed moral philosophical problems/issues and applied ethics came to be considered as a separate sub domain in philosophy.

If one were to try and define applied ethics, one finds that it is best to understand it as a use of philosophical methods to treat moral problems, practices that may arise in professional domains.

As mentioned above we will now discuss Euthanasia as a topic from applied ethics. Euthanasia is defined by different dictionaries as painless killing of an individual who may be suffering from some debilitating condition, wherein death is in the interest of the individual. The term may raise different ideas in the minds of people like killing people who are weak, ill or not serving the society in a beneficial manner. Unfortunately, the term euthanasia has also been connected with the Nazi concentration camps, where millions were exterminated under the label of being from a different race/class. The Nazi concentration camps were a part of a governmental policy at that time, but euthanasia is not to be understood in any of these terms.

Euthanasia is to be understood as an act where one brings about the death of another individual or fails to prevent the death of the other individual simply, because he or she may in a close relationship with that individual either as a care giver or as a relation.

The word originated from Greek word meaning 'good death'. The Greeks, considered mercy killing or good death to be a rational act, if individuals felt their lives were no longer useful. In the Greek society, individuals who sought help of others to die was morally acceptable.

A classic example of euthanasia is of Socrates, who agreed to drink the hemlock (poison), knowing fully well it would bring about his death. The ancient Greeks and Romans did not

think that all human life had an inherent value. When they were faced with hopeless circumstances, they thought it better to end their lives.

In ancient Rome suicide was permitted, except for slaves, criminals and soldiers. According to the Roman scholar, Pliny the Elder (23-79AD) the ability to commit suicide was the greatest advantage given to humankind by God. The philosopher Seneca asserted that the right to choose suicide was an individual's decision and his right.

However, the *Hippocratic Oath* whose exact origins are not clear forbade the physicians from participating in any such acts that would lead to assisting someone's death. In other words, it denounced mercy killing and instead encouraged the physicians to take care of the patients.

If we look at gentle death or suicide across religions, then we find that all religions have denounced suicide, as life is considered to be a gift from God. If we look at the views of different religions, we find that Judaism resisted the medical assistance that the ancient Romans and Greeks provided to the suffering. In fact, in 1972 and in 1997 all branches of Judaism including 'reform Judaism' denounced assisted death as it was against Jewish values.

Christianity considered life to be a gift from God and any efforts on our part to end that existence whether through suicide or assisted means was considered to be a shameful act. This thought found resonance in Hinduism and Buddhism too. Even Islam and Sikhism reject the idea of suicide or assisted death.

After the Roman Empire collapsed, support for Euthanasia in the Middle Ages vanished and Medieval scholars like St Augustine, Duns Scotus, St. Thomas Aquinas all denounced suicide. As the influence of Christianity increased during the Middle Ages, the physicians began to develop a moral obligation to care for the patients.

The 16th and the 17th century witnessed a lot of upheaval in the fields of science and religion, yet the views of Christianity regarding suicide remained unchanged. It is in the 16th century that one finds a reference and perhaps the first usage of the term Euthanasia in the works of Thomas More (1438-1535), Lord Chancellor to Henry the 8th, who mentioned it in his work Utopia. He referred to an ideal island where people who were suffering from a life of disease and physical torture could escape from it by allowing someone to administer poison.

The other reference to the word Euthanasia was found in the works Francis Bacon (1561-1626). He was first in history to use this word after the Roman historian Suetonius in its etymological meaning. It is only from late 19th century to date that Euthanasia has been used as signifying mercy killing or medically assisted suicide.

5.2 TYPES OF EUTHANASIA

Euthanasia is broadly divided into three main types-

1. Voluntary
2. Involuntary
3. Non-Voluntary

As well as into active and passive.

Cases of euthanasia can be divided into active and passive. The distinction is often made on the basis of whether the person is allowed to die or is killed, determines whether it is active or passive euthanasia. In active euthanasia a person directly or deliberately causes or brings about a patient's death. Thus, active euthanasia involves a direct action. In contrast, passive euthanasia involves an act of omission on the part of the agent. In other words, the patient is allowed to die. No intervention is done in passive euthanasia. Some thinkers have argued that it is better to allow a patient to die by withholding treatment rather than by actively participating in it through a deliberate or wilful act.

Some thinkers hold the view, that there is no real difference between active and passive euthanasia. The reason being, not making a choice and allowing things to progress naturally and deliberately choosing to stop a treatment are both, two sides of a coin. Some philosophers, like James Rachels and Simon Blackburn have argued that active euthanasia is better, as it is better, and less painful for the patient. They both stated, that the difference between active and passive euthanasia is not helpful and in fact boundaries between them are often blurred. Thus, both active and passive euthanasia are examples of failing in one's duty towards another person. One must however remember that just as there is no single duty of care, likewise there is no single duty of non-interference. Duties of care are not by and large impersonal in nature and often times they are dependent on inter-personal relationships which are difficult to categorize.

Another way of classifying euthanasia is dependent on the weightage that should be given to the wishes of different individuals. It is this expression of wishes that, leads to the three- fold distinction between voluntary, involuntary and non-voluntary euthanasia.

1. Voluntary Euthanasia occurs at the request of the person who expresses a desire to die. The person may do so-

- * By refusing medical treatment
- * Asking for medical treatment or life support to be withdrawn or switched off
- * Refusing to eat
- * Simply deciding to die
- * Asking for help with dying

Thus, there are a whole range of cases to be considered under voluntary euthanasia that may involve suicide committed alone without anyone knowing about it, another case where the second person knows about it but does nothing to prevent it or cases where suicide is assisted or even those cases where the killing is carried out by another because the person is unable to do it on one's own.

All these examples show that the onus of responsibility on the care giver regarding the loss of life cannot be taken lightly and there are no right answers to justify the loss of life.

2. Involuntary Euthanasia occurs when the person killed is capable of consenting to his or her own death, but does not do so, either because they are not asked, or because that person is asked and yet decides to go on living. In an active involuntary case of euthanasia, where the person has not waived or cannot waive the duty of non-interference, then any reasons for killing that person must demonstrate that the circumstances favoured overruling the duty of non-interference.

In involuntary passive euthanasia the process of prolonging the patient's life may be more painful because the patient may not have expressed a wish to die. The negative duty of not interfering will not be applicable here, but the duty of care will have to ensure that the person is not left to die.

It is apparent that there are no specific criteria or rules which state what duty of care and non-interference involve.

3. Non- Voluntary Euthanasia occurs when the person is not in a position to make a meaningful choice between living and dying and an appropriate person takes the decision on their behalf. This can happen due to a number of reasons-

- *The person is in coma
- * The person is too young (child)
- * The person is senile
- * The person is mentally challenged or brain damaged or mentally disturbed

Here, one could consider examples of a person on a life support machine. The challenge in such a situation is when to turn off the machine?

The case of a healthy baby who has severe mental disability may make the parents think that it is better for the baby to die as the life of the baby will be severely compromised or they are not in a position to take care of it. All of these issues do point out the duty of care that parents have towards their children yet, again a matter for which there are no clear answers available. Killing and letting die, whether in active or passive euthanasia, voluntary/involuntary/non-voluntary are distinctions that help in comprehending the differences. These distinctions do not provide solutions regarding different kinds of euthanasia. These distinctions are just pointers and in different types of situations different considerations will apply.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Give a brief description of Euthanasia?

2. How many types of Euthanasia are there? Briefly define each of them?

3. State the primary reason as to why euthanasia did not find favour with different world religions.

In all of the above of types of euthanasia, a basic assumption is made that death is in the interest of the individual. This brings us to the question of what weightage should be accorded to a person's wishes and also the role a care giver or person assisting with euthanasia plays.

In **Voluntary** euthanasia one is dealing with a case where the person carrying out the act of killing has been absolved of this duty by the desires of the person who wants to die. The question regarding the responsibility of the person who brings about the death of the other is brought out into the open and whether he or she can justify the loss of life. Such, questions unfortunately have no general answers.

In the case of **Involuntary or Non-voluntary** euthanasia, where the person has not given the consent or is not in a position to give their consent, the care giver has to demonstrate that the justification for killing is in the interest of the person.

Another aspect of Euthanasia that is discussed is **Indirect euthanasia**. This involves providing treatment usually to reduce pain that has the side effect of speeding the patient's death. Since the primary intention is not to kill, this is seen by some people as morally

acceptable. This is the doctrine of **Double Effect** – which states that if doing something morally good has a morally bad side effect it is ethically permissible to do it provided the bad-side effect wasn't intended. This is true even if one saw that the bad-effect would probably happen. Factors that are involved in the doctrine of Double Effect are-

*The good result must be achieved independently of the bad result. In other words, bad result cannot be the means to achieving the good result.

* The action must be proportional to the cause, in other words, the action must yield a good result.

* The action must be appropriate, so far as giving the right medicine to the patient is concerned

The patient's condition must be terminal

There are however difficulties with the doctrine of **Double Effect**-

#Death is not always bad, so double effect is irrelevant.

#Double effect can produce an unexpected moral result, namely that the doctor who hastens the death of a patient is a better doctor than one who only wants to treat or relieve the pain of the patient.

#We are responsible for all effects or consequences that may come out of our actions. We cannot just choose the effects that suit us.

5.3 JUSTIFICATION

We will now consider some of the arguments that have been given for and against Euthanasia.

FOR –

*Advocates of euthanasia argue that the patient has the right to make the decision about when and how they should die. This is based on the principle of autonomy and the right of an individual to his life and his /her body.

* Another argument that is given in support of euthanasia is the argument from mercy. The argument is very simple. Terminally ill patients sometimes suffer so much pain and suffering

that it is better to end that through euthanasia. The advocates for euthanasia give utilitarian argument to support their stand. The utilitarian had argued that any action is morally right if it serves to increase the amount of happiness in the world or reduces the misery in the world. Conversely, an action that increases misery or suffering is morally wrong.

* An action that allows killing of persons at their request reduces the misery of the patient. Therefore, such a policy is right.

So far as, voluntary active euthanasia goes this argument of the utilitarian may work, for it violates no one's rights and also promotes the best interests of everyone.

AGAINST-

*The argument that is given against euthanasia centres around the principle of sanctity of human life. Human life is to be respected and preserved. Euthanasia allows intentional killing of another person.

*It allows the abuse of the autonomy and human rights. A person who is not in a position to decide for his/her life is allowed to be killed, therefore euthanasia contravenes life.

*If euthanasia is legalised, it may lead to social abuses and the society may be confronted with a slippery slope argument ("In a slippery slope argument, a course of action is rejected because, with little or no evidence, one insists that it will lead to a chain reaction resulting in an undesirable end or ends. The slippery slope involves an acceptance of a succession of events without direct evidence that this course of events will happen." <https://www.txstate.edu/philosophy/resources/fallacy-definitions/Slippery-Slope>)

* The role of palliative care ("Palliative care is an approach that improves the quality of life of patients (adults and children) and their families who are facing problems associated with life-threatening illness. It prevents and relieves suffering through the early identification, correct assessment and treatment of pain and other problems, whether physical, psychosocial or spiritual." <https://www.who.int/news-room/fact-sheets/detail/palliative-care>) gets undermined and also the possibility of miraculous cures.

* Euthanasia gives the caretaker an opportunity to have an easy escape from his/her responsibilities.

* We humans have a natural inclination to fight for our survival. Euthanasia and its practice go against this natural inclination.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. State the reasons given in favour of euthanasia.

2. What is meaning of double effect?

3. State the arguments against euthanasia.

5.4 LET US SUM UP

Thus, in this unit we have examined the definition of euthanasia, its historical origins and the way suicide was looked at by different religions. We have examined the different kinds of euthanasia and the various distinctions that are made. These distinctions are not water tight compartments but different perspectives of analysing euthanasia, as an area of applied ethics.

Each argument, statement highlights the different terminologies and interpretations that euthanasia has acquired with the passage of time.

5.5 KEY WORDS

Active euthanasia: means a person directly or deliberately causes or brings about a patient's death. Thus, active euthanasia involves a direct action.

Double Effect: states that if doing something morally good has a morally bad side effect it is ethically permissible to do it provided the bad-side effect wasn't intended.

Euthanasia: is defined by different dictionaries as painless killing of an individual who may be suffering from some debilitating condition, wherein death is in the interest of the individual.

Passive euthanasia: involves an act of omission on the part of the agent. In other words, the patient is allowed to die.

5.6 FURTHER READINGS AND REFERENCES

- Dowbiggin, Ian. *A Concise History of Euthanasia: Life, Death, God and Medicine*. Inc: USA: Rowman and Littlefield Publishers, 2007.
- Ebramini, Margus. "The Ethics of Euthanasia". *Australian Medical Journal*, 3:73-5.
- Nuttall, John. *Moral Questions: An Introduction to Ethics*. Cambridge: Polity Press, 1993.
- Rachels, James and Rachels, Stuart. *The Right Thing to Do: Basic Readings in Moral Philosoph*. New-York: McGraw-Hill International Edition, 2015.

5.7 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Euthanasia is painless killing of another individual who may be allowed to die or killed as it may be in the interest of the individual.
2. Euthanasia is broadly divided into active and passive

Voluntary/ involuntary/ non-voluntary. Apart from this another distinction involves direct and indirect euthanasia.

3. The primary reason that euthanasia did not find favour with different world religions is because these religions have all looked at life as a gift from God. If we take away the life of an individual we are disregarding or violating God's dictum.

Check Your Progress II

1. The arguments given in favour of euthanasia are that it respects the autonomy of the individual. The right over one's body and what happens with it is decided by the person. Further, by allowing one to make a choice the process of suffering from terminal illness can be reduced.

2. Double effect is when one does something morally good leads to a bad side effect.

3. Euthanasia and its practice allows for devaluing human life. It allows the care giver to escape from their responsibilities. It takes away hope from the patient and a belief that there could be a miraculous cure.

UNIT 6 SUICIDE*

Structure

6.0 Objectives

6.1 Introduction

6.2 Value of Life

6.3 Meaning of Suicide

6.4 Philosophers on Suicide

6.5 Moral Consideration of Suicide

6.6 Suicide and its Causes

6.7 Is Suicide Rational or Irrational?

6.8 Arguments for and against Suicide

6.9 Analysing Suicide: Duty Based Perspective

6.10 Let Sum Up Philosophical Positions - In Favor or Against

6.11 Suicide: The Necessity for Rethinking

6.12 Let Us Sum Up

6.13 Key Words

6.14 Further Readings and References

6.15 Answers to Check Your Progress

6.0 OBJECTIVES

The main objectives of the unit are,

* Ms. Arushi Singhal, Doctoral Research Scholar, Department of Philosophy, University of Delhi.

- to discuss meaning and causes of suicide,
- to elaborate the arguments presented by various philosophers,
- to discuss ethical and moral considerations of suicide,
- to elaborate duty based perspective.

6.1 INTRODUCTION

Throughout history, suicide has attracted the attention of societies of all ages and continues to receive mixed reactions like anger, distress, anxiety, tension, fear, and sadness. Today, it is considered a major public health problem that should be addressed scientifically. Moreover, suicide is not only a psychological and psychiatry study but is also an object of sociological anthropological study. As the topic of suicide is supposed to be examined from the applied ethics perspective so the focus of the study would be on the issue: whether suicide is morally permissible or not.

The analysis of this issue is important as the topic contains ethical debates regarding its permissibility or impermissibility. There are several views of philosophers regarding the permissibility and impermissibility of suicide for different reasons. Thus, to examine the ethical debates involved in suicide we must need to explore philosophers' views on suicide. But first, it is important to know how the value of life is relevant to the current topic.

6.2 VALUE OF LIFE

The term 'value' means anything that satisfies human wants or desires. Value in ethics can be defined in terms of the ultimate *summum bonum* (the highest or ultimate good) of life rather than in terms of the preservation of life. The preservation of life is not good in itself, good or valuable.

In religion and ethics, the sanctity of life is a principle of protection or security applied to living beings. In simple words, it implies that human life is precious and created by God. Thus we must value life. The doctrine of the sanctity of human life has been broken into two separate claims: a) there is a special value in the life of a member of our species. b) There is a special value in the life of a person. According to this doctrine, the rules must not be violated and one ought to value his/ her life.

A self-conscious being is aware of itself as a distinct entity with past and future. Such a being is also capable of having desires about his future. e.g. a professor of philosophy may hope to write a book demonstrating the objective nature of ethics.; a student may look forward to becoming a graduate. Personal experience, as well as media coverage, have given many reasons in our society to fear the prospect of brutalizing and painful death. Besides, suicide has often been seen as an offense, a unique form of transgression and, an insult to god. It also violates the principle rule of the sanctity of life. This is the reason, a discussion on the value of life in the topic of suicide is considered important.

6.3 MEANING OF SUICIDE

The term ‘suicide’ comes from two Latin root words “sui” (of oneself) and “cidium” (killing/ slaying or slaughtering) i.e. killing of oneself. Suicide is defined medically as an act of killing oneself intentionally and voluntarily. In suicide, the conditions causing death are self-arranged. In other words, it can be said that the killing is intentional which is motivated by psychological and mental factors.

Morally speaking it is a debatable issue whether or not suicide should be permissible. The reason being suicide is seen as a means to relieve what is considered interminable pain. On the contrary, it violates the principle value of life. Various philosophers have different views on suicide. Some have an agreement in favor of suicide and some condemn suicide. In the next section, I would like to mention philosophers' views on suicide.

6.4 PHILOSOPHERS ON “SUICIDE”

Suicide has been getting attention from Ancient and classical philosophers starting from Plato to Immanuel Kant. Every philosopher who belongs to this tradition has different views on suicide. Philosophers like Plato and Aristotle reject the idea of suicide and they have several reasons for disapproving of suicide. However, some philosophers from the Stoic tradition accept the idea of suicide. Thus, an ethical debate can be seen from different points of view by different philosophers. In this section, I would like to mention some of the philosophers' views that will help in broadening our understanding of the topic of suicide.

Plato discussed suicide in two of his works i.e. ‘*Phaedo*’ and ‘*Laws*’ where he opposes suicide and believes that “suicide is always wrong since it “frustrates the decree of destiny”. He said that ‘God’s are guardian’ and we are a possession of theirs....then there is a reason

for saying that a man should wait and not take his own life until God summons him. In addition to Plato's statement, Aristotle also opposed suicide by saying that it is 'contrary to the role of life'.

Some of the later Greek and Roman philosophers approved of suicide as a means of ending suffering. A Stoic Philosopher Epictetus endorses suicide. He maintains that "death by one's hand is always an option and frequently more honorable than a life of misery." Epictetus (Discourse I.24.20) holds that suicide is ethically acceptable but only under 'extreme circumstances'. He explains it by using an analogy of a house on fire, full of smoke: "Don't believe your situation is genuinely bad – no one can make you do that. Is there smoke in the house? If it's not suffocating, I will stay indoors; if it proves too much, I'll leave. Always remember the door is open." Thus, the choice is ours. The analogy implies if one truly thinks that the situation is uncontrollable like smoke in the room then the door of death is always open. But if you can bear the pain then live a life that is worth living. However, George Lyman Kittredge maintains that "suicide is cowardly and wrong." The principle moral theme of Stoic philosophy is that we should resign ourselves to whatever fate has in store for us but when things get too intolerable we may wish to end our lives.

David Hume in his unpublished essay (*of Suicide*, 1783) points out that 'suicide focuses on whether suicide violates the duties of God. e.g. he says, as a rule, God has given us the liberty to alter nature for our happiness and suicide is an instance of altering the course of nature for our happiness. Therefore suicide does not violate god's plan. Hume while making this statement uses 'autonomy' and human freewill as a reason to support the idea of suicide. e.g. if a person is unhappy with his life, and God has granted us freewill then the person has a right to end his/her life. If the person feels that he is not obligated towards society and his happiness lies in ending his life then he must commit suicide. Committing suicide does no harm to society.

Immanuel Kant (*The Metaphysics of Morals*, 1797) argues that suicide is wrong as man is God's property and they have no right to end their own life. He believes that suicide degrades our inner world. Suicide is disrespectful to an agent's duty to himself. For Kant, suicide is immoral because it is a violation of humanity. Therefore, self-preservation is our highest duty to ourselves and everyone may treat their body as they please. Further, Kant states "Not to commit suicide is a perfect duty" and action must be motivated by self-preservation.

As we can see, philosophers have different points of view on suicide and the reasons for their approval and disapproval are not similar. One thing that can be noticed here is that philosophers who are in a favor of suicide also values life. But their support on ending life came when the person is suffering in life. Then only, committing suicide is the only way to end suffering.

Check Your Progress I

Note a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is Suicide?

2. What are the two reasons given by Kant for rejecting the idea of suicide?

6.5 MORAL CONSIDERATION OF SUICIDE

Moral Permissibility

The central question on the topic of suicide is regarding its moral permissibility and impermissibility. i.e.

- Are there any conditions under which suicide is morally acceptable, and if so, then what are those conditions?
- Is the decision of committing suicide considered rational or irrational?

The questions are important to examine however several viewpoints by philosophers have already been mentioned in the previous section. But the above discussion lacks some detail about human's rational behavior. Thus, the examination of moral theory that focuses on autonomy and whether the decision of taking one's own life is rational or irrational is required.

To conclude the act of suicide is rational or irrational is dependent upon the positive and negative results of the proposed act of suicide. But before that, it is important to discuss the causes of suicide to understand human nature and the reason why an individual wants to end his/her life.

6.6 SUICIDE AND ITS CAUSES

Every individual who attempts suicide will show some warning signs in the day, weeks, or months beforehand. Suicide is the outcome of neurological and psychological breakdown. Becoming suicidal is a process that begins with severe stress and pain generated by a serious life crisis. Suicidality occurs when the stress brings psychological pain so unbearable that death is seen as the only relief. Before this point, the individual is at risk of becoming suicidal and is in a crisis that causes traumatic stress. Suicidal individuals manifest various chemical imbalances.

6.6.1 Warning Signs

Conditions associated with an increased risk of suicide.

- Death or terminal illness of relative or friend.
- Divorce, separation, broken relationships, and stress in the family.
- Loss of health (real or imaginary).
- Loss of - job, home, money, status, self-esteem personal security.
- Alcohol or drug abuse.
- Depression or stress.
- The Individual himself is critically ill.

Emotional and Behavioral Changes associated with suicide

- Neglect of personal welfare deteriorating physical appearances.

- (Particularly in the elderly) self-starvation, dietary mismanagement, disobeying medical instructions.
- Previous suicide attempts, “mini attempts”.
- Hopelessness- the feeling that the pain will continue or get worse, things will never get better.
- Powerlessness- the feeling that one’s resources for reducing pain are exhausted.
- Feeling of worthlessness- shame, guilt, self-hatred, “no one cares”.
- Declining performance in school, work, or other activities.
- Social isolation.

So these are some causes and conditions of suicide when a person desire to end his life. Through the emotional and behavioral changes, a person’s family or friends can stop his act of suicide.

6.7 IS SUICIDE RATIONAL OR IRRATIONAL?

R Brandt (1980) and J Glover (1990) acknowledge individual different factors of committing suicide that also affect the individual’s family. Brandt asserts that committing suicide based on distress or depression is considered irrational and is morally impermissible. The reason to be considered suicide as an irrational act is because there are high chances in the future that the situation of stress and depression will improve. Therefore, the decision of ending life seems premature.

The only act of suicide is considered rational when a person is critically ill. The thinking behind this view is that the person who is suffering pain thinks negatively all the time. He has a sense that he will not be well in the future. Due to his unbearable pain, he loses his faith in life and the only solution he finds is to commit suicide. However, many would refute this view because they believe that life’s intrinsic value is not dependent on individual suffering.

Check Your Progress II

Note a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Who is at risk for suicide? Mention four major risk factors of suicide.

2. What are the warning signs of suicide?

6.8 ARGUMENTS FOR AND AGAINST SUICIDE

The ethical analysis on suicide is classified into five categories: argument of respect for life, the argument from the theological position, the principle of autonomy, the principle of duty to others, and the utilitarian position. All the arguments can be considered philosophical and ethical as the topic of suicide requires philosophical examination that will help in broadening our understanding of the issue. The detailed examination of the arguments are as follows:

6.8.1 The Argument of Respect for Life

The simple point here is that human life is sacred as discussed in the doctrine of the sanctity of life. Life deserves respect and one should live life fully. No one has the right to end his life. According to this argument, suicide is viewed as impermissible in the case of taking life intentionally. Despite this, PR Baelz (1980) discusses some situations like self-defense where killing oneself is morally permissible. There is also one condition where suicide may be morally permissible by accepting the exception to the principle of respect for life. for example, when a person is ill and 'he knows that he won't survive for many days and till the time he survives, he will be in pain.' So in this case suicide is acceptable and justifiable, according to Baelz.

6.8.2 The Argument from the Theological Position

According to Christian religious tradition, suicide is impermissible. Two general categories of this argument discussed in the Christian tradition are as follows:

- 1) Suicide violates the natural law order created by God by which human existence is possible. This natural law can be seen as a) natural causal laws, i.e. suicide violates the causal order of human existence, b) teleological laws i.e. all sentient beings secure themselves in every condition to live a happy life and, c) the laws governing human nature and according to this law suicide is unnatural. These three natural laws are no longer a discussion in philosophy as the criticism is given by Hume and others. The main criticism against the natural law argument is an act of religious martyrdom where a person in the name of religion or religious rituals sacrifices himself. The act of religious martyrdom is not condemned in religion. Thus, prohibition on suicide (going by this criticism) seems arbitrary and illogical.
- 2) The second general argument is based on the analogies concerning the relationship between God and humanity. One famous analogy discussed by Thomas Aquinas and John Locke is that humans are God's property and suicide is wrong.

This statement seems weak because if humans are god's property then the statement violates the concept of free will which is granted by God to humans as mentioned in sacred books.

6.8.3. Principle of Autonomy

The principle of autonomy implies that humans are autonomous. They are free to take any decision and have the liberty to act on those decisions without limiting themselves. According to this principle, suicide is morally permissible as the decision taken by a human is considered an autonomous decision. Considering the principle of autonomy, the moral permissibility of suicide does not apply to those individuals who are unable to make an autonomous decision.

David Hume in his essay (*Of Suicide*) defends the position of suicide by saying suicide is an honorable act. Hume's position is based upon the principle of autonomy. He discussed some conditions where suicide is permissible and depends on the individual's interest or family. For example, a spy wants to kill himself after capturing by another country to avoid revealing secrets. Hume asserts if the spy doesn't kill himself then he will be in pain for the rest of his life. So, according to the principle of autonomy, suicide is morally permissible.

6.8.4 Principle of Duty to Others

The principle of duty to others rejects the idea of suicide. MPBattin (1996) argues in favor of suicide prevention as her belief is based on the principle of duty to others. She states that if an individual rationally decides to end their life then ‘paternalistic intervention’ is morally impermissible. Though there are some cases a duty to others makes suicide morally impermissible (p. 143). For example, a man is terminally ill and desires to kill himself but his wife has a religious belief against suicide. In this situation, a short-term interference of his wife is permissible. As his wife considers it necessary to assess her husband's mental illness by providing treatment and counseling. But after a shortspan if a man still desires to end his life then to stop him or intervene in his suicide is considered wrong as it violates the principle of autonomy.

6.8.5 The Utilitarian Position

J.S. Mill, a utilitarian philosopher, states that ‘prevention of suicide is never justified after an initial attempt has been made to find the cause.’ It is the right of a person to do what he pleases to do. Mill favors temporarily intervening to know the decision of suicide is intentional and made after adequate knowledge. Once the intention, as well as the individual's rationality, is clear about the situation then there is no point in intervening. Mill states that a person can act what he wants to do whether it is a case of suicide. Independence and personal freedom are the two significant rights that society must aim to preserve. The person who wants to commit suicide weighs the pain and harm with his satisfaction of ending his life. The person must act according to the pleasurable consequences he is getting from the act. Mill's view on suicide is inspired by the utilitarian principle i.e. pleasure or happiness is the only thing that has truly intrinsic value.

6.9 ANALYSING SUICIDE: DUTY BASED PERSPECTIVE

To this point, we have come across that philosophers have mixed views and arguments on suicide regarding its moral permissibility and impermissibility. In this section, we will address this issue from a ‘moral duty’ perspective i.e. whether moral permission to involve in an individual's suicidal behavior exists. It is one of the significant issues as it has dominated the whole ethical discussion of suicide. It seems that there are lots of agreements and

disagreements on the topic of suicide but the moral permissibility of suicide gives us a vision that suicide violates no moral duty.

Libertarians hold that suicide is morally permissible because individuals have a 'right to suicide'. (It does not mean that suicide is rational). They believe that the right to suicide is a *right of non interference* that others have no right or they are morally barred from intervening with suicidal behavior. Some libertarians have a stronger claim than the above that suicide is a *liberty right* and individuals have no moral right to give up suicide. i.e. suicide violates no moral duties. They state that other has no right to intervene in suicide but they are morally obliged in assisting suicide. They believe in the right to suicide. It implies that human have their bodies and hence they are morally permitted to dispose of their body according to their desire. In this argument, the body is treated as property or owning a material thing. e.g. possessing wrist watch means a person has a right to wear it, use it, or dispose of it as he wishes, similarly having a right to our body permits us to dispose of it as we want.

Considering utilitarians, then some utilitarians measure all the possibilities that show the good consequences of suicide outweigh the bad consequences. This measurement leads to suicide as an admirable act and gives us an impression of morally obligatory. Suicide may consider sometimes as an honorable act in case it is committed for other-regarding or other well-being. For altruistic reasons, suicide is considered honorable. For example, an act of martyrdom, where a soldier is jumping on a grenade to save his battalion.

Utilitarians hold that it is our moral duty to maximize happiness and if an act of suicide will produce more happiness than living a sad life then suicide is not only morally permissible but morally required. Therefore, only utilitarians believe that suicide is a moral duty if the decision to commit suicide is taken wisely.

However, an important question is raised here: Whether an act of suicide is virtuous or vicious. Under what condition does an act of suicide display virtues such as courage, generosity, or justice? And under what conditions does an act of suicide show vices like cowardice, selfishness, or rashness? These are some important questions to think about and there is no particular answer to these questions. As we have seen the philosophical and ethical arguments, and ethical debate by referring to philosophers' views, one thing is clear that there are no final answers to these questions. The opinion is based on subjective as well as rational thinking of an individual to decide whether an act of suicide is a morally good or bad act. If referring to an argument of autonomy then it is our freewill to act whatever an individual

wants. On the contrary, if referring to the doctrine of the sanctity of life then one should value his or her life and live the life fully. These are the two contrary views that one deals with in our day-to-day life and exist in this world. There are several views I already discussed above that will help an individual to decide what is his take on the moral permissibility and impermissibility of suicide.

6.10 LET SUM UP PHILOSOPHICAL POSITIONS ON SUICIDE- IN FAVOR OR AGAINST

Infavor of Suicide (Morally Permissible)	Against suicide (Morally Impermissible)
• Epictetus supports suicide and states that suicide is more honorable than a life of misery. • Hume approves of suicide and maintains that God has given us free will to alter nature for our happiness. • Brandt believes the only act of committing suicide is rational and morally permissible when a person is terminally ill. • Baelz points out that killing oneself in self-defense is morally permissible. • Libertarians believe that individuals have a right to suicide therefore suicide is permissible. • Utilitarians are in favor of suicide and maintain that if the good consequences of suicide outweigh the bad consequence then one should commit it.	• Plato asserts suicide is wrong since it frustrates the decree of destiny. • Aristotle condemns suicide by saying suicide is contrary to the role of life. • G. L. Kittredge holds suicide is cowardly and wrong. • Kant holds that suicide is immoral as it violates humanity. • Brandt and Glover have a view that committing suicide based on stress and depression is considered morally impermissible and irrational. • Theologians deny suicide as it violates the causal laws and breaks the relationship between God and humanity. • Battin says that individuals have a duty to others and that makes suicide impermissible.

6.11 SUICIDE: THE NECESSITY OF RETHINKING

So far we have seen the ethical and philosophical positions on suicide. Suicide, in general, is such a relevant topic because people in this world face momentary difficulties, stressful situations daily. There are a lot of people who decide whether they want to commit suicide or not. As above mentioned different views, it is now clear that there is no specific answer for whether one commits suicide or not. But what we can discuss here is some general precautions by a family or friend to prevent suicide. Sometimes the decision of suicide is taken in a haste manner and the stress or the difficult time is momentary. In that case, the other person needs to take extra care and calm the person down who is planning to commit suicide.

If the person seems stressed and you know that he is in a mode of committing suicide, then do not leave them alone. If the means are present like any sharpened object, poison, rope, cloth then try to get rid of them. Today it is possible to predict and prevent suicide. Traditionally in India family bonds were strong and due to its rich and robust culture, community support, as well as faith in religious teachings that were deeply ingrained, it is promising to stop the suicidal act.

Although some of these values may be eroding, they continue to provide strong moral support in times, of mental, physical, and social adversity. According to WHO, 1999 reports, worldwide 1 million people died by committing suicide. As per section, 174 of the Indian code of criminal procedures every intentional death has to be investigated unless otherwise proved. The law makes it mandatory for suicide to be investigated by the police authority and judgments to be delivered by judges.

This leads to a situation where hospitals refuse to admit persons who have attempted suicide and even if such patients are admitted, it is for unrelated reasons. This leads to gross under-reporting, refusal to help the affected persons, increased stigma due to police visits, and concealment of the facts all of which receive proper medical or psychiatric help. India needs to re-examine such laws. Attempts should be made to remove stigma, punishment, offenses, and make the system people-friendly.

All health professionals, NGOs, and even faith healers, spiritual leaders, educationists should be involved in suicide prevention activities at the community level. They can play a positive role in identifying suicidal thoughts, behavioral, depressive states and offer emotional support to people who are at risk of attempting or committing suicide. The media has a key role to play in such an endeavor. Unfortunately, suicidal people are afraid that trying to get help may bring them more pain being told they are stupid, foolish, sinful, or manipulative.

Check Your Progress III

Note a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Why suicide is impermissible by referring to the argument of theology?

2 State some precautionary measures to prevent suicide.

6.12 LET US SUM UP

As the above mentioned discussion on suicide indicates that suicide has been and continues to be an affluent field of philosophical investigation. Recent advancement in medical technology has diverted philosophical attention to euthanasia and physician-assisted suicide rather than suicide motivated by psychological anguish. Nowadays scholars and academicians are working in the field of applied ethics and their study is based on the critical examination of euthanasia rather than 'suicide alone' that is driven by emotional and mental factors. Everyone needs to understand people's psychology, their emotional behavior and

should realize that love, care, respect, compassion, and empathy is the only way to stop or prevent suicide that is motivated by psychological factors.

Not only the topic of suicide is worthy of philosophical reflection in itself but it is a source of insight for several philosophical subdisciplines i.e. social and political philosophy, ethical theory, moral psychology, and action theory. Suicide is an area where philosophers' views clash and an ethical debate can be seen that leads to philosophical interest and examination of the topic.

Conclusively, suicide is a very big issue in today's era. Though many applied ethics issues have emerged in this area. Recently the issue of the moral permissibility of suicide has a long history of philosophical discussion and it continues to be so.

General Remark – Human life is valuable and all the sufferings are temporary. One needs to realize that the hardships are not permanent and they shall pass. Thus, the decision of ending a life ought not to be the final decision to get relief. Life is full of challenges and we need to face all the difficult situations. Ending life is not the solution but living life with full effort should be the motive of an individual. Committing suicide only relieves oneself pain but the pain family and friends will get after the person's suicide is inexplicable. Therefore, before deciding to commit suicide, always think about your duties, responsibilities, and the pain you are trying to give your close ones.

6.13 KEY WORDS

Autonomy: It is a state or condition of self-governance or leading one's life according to one's values, desires, or reasons.

Duty: a moral or legal obligation where one has to be required to act according to one's job.

Ethics: It is a branch of philosophy that deals with moral principles.

Morality: Principles concerning the distinction between good and bad or right and wrong behavior.

6.14 FURTHER READINGS AND REFERENCES

- Aquinas, St. Thomas. *Summa Theologica*, in *Basic writings of Saint Thomas Aquinas*, Anton Pegis (ed.). New York: Random House, 1945.
- Aristotle. *Nicomachean Ethics*. Roger Crisp (trans.). Cambridge: Cambridge

University Press, 2000.

- Baelz, PR. "Suicide: Some Theological Reflections", In *Suicide: The Philosophical Issues*, (ed. Battin MP, Mayo D). St. Martin's Press, 1980.
- Battin, MP. *The Death Debate: Ethical Issues in Suicide*, pp.137-158, Prentice-Hall, 1996.
- Brandt, R. "The Morality and Rationality of Suicide". In *A Handbook for the Study of Suicide*, S. Perlin (ed.) Oxford: Oxford University Press, 1975.
- Glover, J. *Causing Death and Saving Lives*. London: Penguin, 1990.
- Hume, David. *Of Suicide*. New York: Penguin, 2005. (Available Online).
- Kant, Immanuel. *Metaphysics of Morals*, M. Gregor (trans.). Cambridge: Cambridge University Press, 1996.
- Locke, John. *Second Treatise of Civil Government in Locke's Two Treatises of Government*. Cambridge: Cambridge University Press, 1960.
- Mill, JS. *On Liberty*. In *Essential Works of John Stuart Mill*. Bantam, 1961 [1859].
- Plato. *Phaedo*. David Gallop (trans.). Oxford: Oxford University Press, 1975.

6.15 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Suicide is when people harm themselves to end their life and as a result, they die. The meaning of suicide is different from the attempt to commit suicide as the person tries to harm oneself to end their life but they do not die. Suicide includes the act of intentional or voluntarily killing.

2. Kant rejects the idea of suicide because he believes that man is God's property and they have no right to end their life. Another reason is that suicide degrades our inner world. Suicide is disrespectful to an agent's duty to himself. It is a violation of humanity. Therefore, self-preservation is our highest duty to ourselves and everyone may treat their body as they please.

Check Your Progress II

1. People of all ages, genders and, social or cultural groups can be at risk for suicide.

Four main risk factors for suicide are:

- Exposure to family violence, including physical or sexual abuse.
- Depression, other mental disorders, or substance use disorder.
- A history of suicide attempts.
- Stressful life events such as the loss of a loved one, legal troubles, or financial difficulties, or interpersonal stressors such as shame, harassment, bullying, or discrimination.

2. There are many warning signs of suicide. some signs are as follows:

- Talking about wanting to die or wanting to kill themselves.
- Talking about hopelessness or feeling empty.
- Death or terminal illness of relative or friend.
- Divorce, separation, broken relationships, and stress in the family.
- Loss of –health, job, home, money.
- Alcohol or drug abuse.
- The Individual himself is critically ill.

Check Your Progress III

1. According to religious tradition, suicide is impermissible because of two reasons which are as follows:

- Suicide violates the natural law order created by God by which human existence is possible. This natural law can be seen as a) natural causal laws, i.e. suicide violates the causal order of human existence, b) teleological laws i.e. all sentient beings secure themselves in every condition to live a happy life and, c) the laws governing human nature and according to this law suicide is unnatural.
- The second general argument is based on the analogies concerning the relationship between God and humanity. It is discussed by Thomas Aquinas and John Locke is that humans are God's property and suicide is wrong.

2. Some precautionary measures by a family or friend to prevent suicide are: Sometimes the decision of suicide is taken in a haste manner and the stress or the difficult time is momentary. In that case, the other person needs to take extra care and calm the person down who is planning to commit suicide.

- If the person seems stressed then do not leave them alone.
- If the means are present like any sharpened object, poison, rope, cloth then try to get rid of them.
- Detoxify the home.
- Traditionally in India family bonds were strong and due to its rich and robust culture, community support, as well as faith in religious teachings that were deeply ingrained, it is promising to stop the suicidal act.
- All health professionals, NGOs, and even spiritual leaders, educationists should be involved in suicide prevention activities at the community level. They can play a positive role in identifying suicidal thoughts, behavioral, depressive states and offer emotional support to people who are at risk of attempting or committing suicide.



ignou
THE PEOPLE'S
UNIVERSITY

UNIT 7 REPRODUCTIVE RIGHTS*

Structure

7.0 Objectives

7.1 Introduction

7.2 Understanding Reproductive Rights

7.3 Right to Choose Whether and When to have a Child

7.4 Right to Choose How and with Whom to have a Child

7.5 Let Us Sum Up

7.6 Key Words

7.8 Further Readings and References

7.9 Answers to Check Your Progress

7.0 OBJECTIVES

The main objectives of this unit are,

- Understanding the nature and subject matter of reproductive rights.
- Engaging with discussions surrounding the scope, extent, and limits of reproductive rights, especially from the vantage point of the debates and challenges emerging from considerations of the moral and legal permissibility of contraception, sterilization, abortion, assisted reproduction, surrogacy, etc.

7.1 INTRODUCTION

In this unit the learners would become acquainted with the subject matter of reproductive rights which consists in issues of choice, autonomy, liberty, and freedom which an individual has in deciding for themselves whether, when, with whom, and how to have a child. The various modalities in and through which this choice can be granted to, and exercised by, individuals (not just “females”) raises several ethical and legislative challenges pertaining especially to the permissibility, availability, and access of contraception, abortion, assisted reproductive technology, etc. The unit aims to give the learner a panoramic view of the multi-

* Ms. Mahak Uppal, Assistant professor, Department of Philosophy, Hindu College, University of Delhi.

pronged nature of these debates, drawing attention especially to the scope and limitations of the possible ways in which reproductive rights can be morally and justly exercised.

7.2 UNDERSTANDING REPRODUCTIVE RIGHTS

“Rights” are most commonly understood as entitlements/ sanctions/ privileges conferred onto individuals. Rights not only *allow* and *permit* the right-bearers to perform certain actions and to be in certain states, but at the same time they also entail and impose reciprocal Duties onto others to not perform certain actions and be in certain states which may deter the exercise of the sanctioned Rights. It may thus be said that Rights tend to focus upon “a freedom, protection, status, or benefit for the right-holders” while the corresponding Duties incurred on others, “often require actions involving respect, protection, facilitation, and provision” of the rights of right-holders. Most importantly, it needs to be noted that the very concept of rights manifests a sense of *approval* and *permissibility* with regard to the acts and states which are thus being sanctioned legally, morally, or institutionally. Rights, therefore, inform us about “what may, must, and must not be done” (“Rights” in Stanford Encyclopaedia of Philosophy).

Reproductive rights, more particularly, constitute the rights that an individual has for freely and autonomously choosing for themselves whether, when, with whom, and how to have children. Like most human rights, the enactment of reproductive rights also happens to be grounded in the concepts of individual freedom, autonomy, liberty, agency, etc. Reproductive rights become manifest in and through primarily two, interrelated dimensions. Firstly, they may appear as justified moral norms and codes of moral conduct that have come to be supported by strong reasoning and rational deliberation with respect to certain matters of concern and value (such as the value of life, freedom, personal autonomy, etc.). In this respect these rights specify what courses of actions and choices are deemed morally right and permissible; or wrong and non-permissible. They inform us about the extent and scope of “what ought to be done” and of “what ought not to be done”. Secondly these rights also exist as legal rights which are usually codified in the form of the civil or constitutional rights sanctioned by specific nation states. This legislative aspect ensures that any violation of reproductive rights (once codified) is not merely recognized as morally condemnable, but also that it is treated as a violation of certain laws and therefore a matter of both of immorality and injustice. For instance, to say that having access to contraception, or safe and legal abortion facilities is part of one’s basic reproductive rights, implies that acts of restraint

or discrimination with regard to the availability of such means is gravely wrong and unjust. It becomes the responsibility of the state to provide measures for protecting individuals against such injustices by building policies that are inclusive, non-discriminatory, and within easy access.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What are the different ways in which reproductive rights come to be manifested?

7.3 RIGHT TO CHOOSE WHETHER AND WHEN TO HAVE A CHILD

7.3.1 Contraception and Sterilization

Having reproductive rights entails that the right bearer has the freedom as well as the liberty to make a well-informed decision even with regard to the means they prefer to choose for managing, actuating, and controlling their reproductive ability and fertility.

The invention and availability of a variety of artificial contraceptives and sterilization (temporary or permanent) techniques has been identified as being an important milestone in the attainment and enactment of reproductive freedom and autonomy (for both women and men). Wherever available, these measures have allowed individuals to wilfully manage their sexuality and fertility. Especially in the case of women, who have been naturally endowed with the “child bearing role” these procedures have given them an opportunity and a means for reclaiming and exercising autonomy over their own bodies. The availability of these techniques and procedures has further opened a number of possibilities and alternatives from

among which an individual may decide to choose whether or not he/she wishes to have children, as well as when and how many children they wish to have (if at all).

The mere presence of these measures however, does not fully ensure adequate and effective utilization. The question of whether individuals are really able to freely choose from among all the possibilities that these measures make available, usually echoes a negative response. The primary reason for this seems to be rooted in the stark cultural, social, religious, and political, variations with regard to the legitimacy, availability, and access of these resources. There have been culture and religion specific inhibitions surrounding the use of contraceptive procedures, prohibiting their use as being morally objectionable. While some suggest that these methods tamper with the “divine law” and are a breach of the “divine plan”; others raise worries about sexual promiscuity, and the devaluation of life and creation. Furthermore, since cultural and religious beliefs do tend to exercise an influence on moral values and public policies, there are countries where the availability and use of artificial contraceptive means happens to be blatantly prohibited. While on the one extreme we find instances of absolute prohibition, on the other extreme one would encounter societies which enforce compulsory implementation of mandatory (at times even irreversible) sterilization and (long acting) contraception. Compliance to such norms is usually ensured by levelling penalties and disincentives or by luring individuals with (financial and material) incentives. Even though these measures are usually adopted in the name of population regulation, yet it may be argued that in so far as there is a limitation on the availability of alternatives, and an evident restriction on freedom of choice and reproductive liberty, such mandates end up violating an individual’s autonomy, voluntariness, and their ability for reflective deliberation. In addition to these limitations, even where contraceptive procedures are available, there are many who, due to the lack of knowledge, economic means, or even free access, are unable make use of these resources. These conditions leave individuals with very few (if any) alternatives or means for deciding whether, when and how many children to have. The fact that many countries and social groups have gone about adopting coercive measures appears to be as much of an infringement of reproductive liberty as in those societies and nation states which altogether prohibit the use of these measures (Battin 2009).

7.3.1 Abortion

Unlike contraception and sterilization, which are aimed at regulating fertility by preventing the very possibility of conception; abortion involves the “termination of a conceived foetus”

(Finnis 2016, 15). In so far as this is the case, deliberations concerning the moral and legal permissibility of abortion involve a rigorous assessment of, and adjudication between, broadly two categories of apparently competing claims. On the one hand are claims and concerns about bodily autonomy, freedom, and choice (of the mother); while on the other hand we find claims regarding the right to life, and personhood (of the foetus). In effect, the ethical debates concerning abortion emerge from two perspectives: the pro-choice perspective (which revolves around the defence of the recognition and inclusion of the right to legal and safe abortion as a reproductive right); and the pro-life perspective (which revolves around the recognition of the right to life and potential personhood of the foetus).

Some of the earliest academic discussions surrounding the issue of abortion adopted, what is usually identified as, “a conservative” “anti-abortion” stance, drawing attention primarily to arguments that could convincingly grant “personhood” (potential and/or actual) and the “right to life” to the unborn foetus.

For instance, John Finnis tries to vehemently defend the claim that unborn foetuses are in fact human persons, and by utilizing this claim he goes on to argue that since “the unborn are human persons, the principles of justice and non-maleficence (rightly understood) prohibit every abortion; that is every procedure or technical process carried out with the intention of killing an unborn child or terminating its development” (Finnis 2016, 15).

Since this argument depends upon granting “personhood” to the “unborn”, he builds up his case by giving several reasons in favour of this assertion. Finnis is of the opinion that the common essence of all those who are designated as “persons” is that they are all “living human individuals” and “every living human individual must be regarded as a person” (Finnis 2016, 18). And hence, to say that only certain sets of living human individuals are persons while others ought not to be treated as persons, appears to be unfounded. Holding an evidently expansive view of personhood, Finnis argues that personhood must be viewed as emerging the moment the sperm penetrates into and “fertilizes” the ovum. Effectively, even a single cellular zygote is needs to be identified as a human person, for it already has, in the form of its genetic structure, the “active potential” and the full-fledged biological capacity for developing uniquely human abilities such as rationality, choice, self-consciousness, etc. This claim of an “un-actualized”-yet-“active potentiality or capacity” is what allows Finnis to assert that the zygote is not merely a “potential person” but rather that it is already possesses actual personhood. Furthermore, the moment it is accepted that single cellular zygotes (as

well as their later developmental stages of “embryos” and “foetuses”) qualify as human persons, they automatically get endowed with an inherent “right to life”. Since every foetus (irrespective of its stage of development) has this “right to life”, and since (owing to the moral value inherent in life as such) any act which causes harm to a human person is a gross violation of the principle of justice; therefore, aborting or terminating a foetus (at all stages of its intra-uterine development) becomes analogous to killing a new born child (or any other person), which is as morally and legally un-permissible as any act of killing per say.

The central argument for Finnis is that if the foetus is granted personhood, and thereby the right to life, then the very act of abortion, would clearly be classified as being gravely immoral and manifestly unjust. This proposed principle of abortion is meant to hold without exception even those cases where the pregnancy is the result of coercion and rape; as also those instances where the life of the pregnant mother herself is at risk. That is, even in those cases where it seems necessary to terminate the foetus in order to save the life of the mother, the act of abortion can still not be justified. In support of this suggestion Finnis explains that granting such an exception to the idea of a just law and ethical medical practice prohibiting abortion, would lead to the following implications, both of which appear to be grossly unjust; a) Allowing killing to be used as a means - such that under certain circumstances at least killing may be permissible in so far as it appears to be a means for achieving a further end; and b) prioritizing the life of the mother – such that the life of the mother appears to be more valuable in comparison to that of the foetus, suggesting that the preservation of the former should always be preferred.

It may however be argued that Finnis’ admission of personhood and right to life as extending to a single cellular zygote might be used to claim that all unicellular organisms in general have a right to life, and that therefore killing (intentionally or unintentionally) even the microbes in our mouth while brushing happens to be an immoral act. Further still, another limitation of the claim of a universal prohibition of abortion tends to stem from the idea that the zygote has the capacity for developing specifically human abilities, and that it is because of this very capacity that the zygotes, embryos and foetuses get endowed with personhood and the right to life (which needs to be preserved under all conditions). Yet the same criteria can hardly allow us to extend the right to life and personhood to those embryos and foetuses which lack the said capacity (of developing specifically human abilities) due to some inherent genetic abnormality. Finnis tries to address the challenge of accommodating even such cases

within the specified limits of the proposed prohibition of abortion, by discussing the ethical implications of “pre-natal screening” and the subsequent termination of a pregnancy in cases where abortion is medically indicated. Pre-natal screening usually comprises of an array of tests and examinations which are done in order to ensure a safe pregnancy by diagnosing and treating any defects as early as possible. Finnis is of the opinion that such tests seem permissible (even if they are carried out to address the anxiety of the parents) only in cases where there is no potential risk to the life of the foetus. However, he clarifies that if such a diagnosis is carried out with the intention of terminating the pregnancy in the case of undesirable results, then in arranging for such a diagnosis the individual is already committing an immoral act which is a gross violation of the principles of non-maleficence and justice.

A range of difficulties with Finnis’ position emerge when the proposed understanding of “personhood” is subjected to further scrutiny. Is it really that indubitable that “personhood” comes about the moment fertilization occurs?

One line of argument, as Bonnie Stienbock (2009) explains, suggests that the foetus (at least in the early and the mid trimester) cannot be granted personhood, for in its early stages it is not conscious per say, and therefore can neither be said to be endowed with awareness or sentience. This is because, experts believe that the structural and functional bodily organization which is regarded as being necessary for the emergence of conscious awareness, does not tend to develop at least until the second trimester. It needs to be pointed out here that there is a slight difference of opinion with regard to the exact stage at which conscious awareness comes about. While some experts trace the emergence of sentience to the beginning of the third trimester, others point out that the foetus may develop “feelings” by mid-gestation itself. Despite these factual differences, Stienbock admits that since late-gestation foetus do tend to develop sentience and experience “pain”, therefore late-term abortions would imply a clear infliction of pain onto the foetus and result in killing a sentient being. Though even late abortions might be mandated in certain extreme situations, especially when they appear to be the last resort for saving the life of the pregnant mother. Yet a state of affairs (which involves the termination of a living, feeling, sentient being) might not be unquestionably acceptable even to someone who is a strong upholder of the “pro-choice” stance.

Another attempt at understanding the nature of personhood is made by Michael Tooley, who, like Stienbock, focusses on delineating the exact nature of the necessary properties which a thing must have in order for it to possess a serious right to life. Unless an organism (human/non-human; single cellular or a multicellular organization of varied complexities) is able to satisfy the criteria and display the proposed properties, it would hardly be regarded as being in possession of the right to life. Yet, in looking for such a criterion, Tooley is not exclusively concerned with specifying that “cut off point” in the development of a human organism which demarcates the exact stage beyond which it would be unjust and impermissible to terminate or destroy it. Rather his primary concern is to flesh out a morally significant understanding of the concept of personhood itself along with the characteristics which seem most relevant to it. Such an understanding, once reached, would allow for a more precise formulation of why, for instance, it may be regarded as being unjust to kill a born child, and not equally un-permissible to terminate a foetus in its earlier stages of development.

Michael Tooley (2016) is of the view that “an organism possesses a serious right to life only if it possesses the concept of a self as a continuing subject of experiences and other mental states, and believes that it is itself such a continuing entity” (2016, 26). This claim draws its justification, from what Tooley calls the “self-consciousness” requirement, which encapsulates the idea that “things that lack consciousness, such as ordinary machines, cannot have rights.” (Tooley 2016, 26). He illustrates that any ascription of rights onto an individual simultaneously constitutes an assertion with respect to certain obligations that other individuals have to act and/or to refrain from acting in certain specified ways. Now these obligations, according to Tooley are conditioned upon the existence of certain desires which the individual (who is in possession of a right) has. This idea is captured via the analysis “a has a right to X” is synonymous with “If A desires X, then others are under a prima facie obligation to refrain from actions that would deprive him of it” (Tooley 2016, 26). What Tooley understands by “Desire” are specifically those mental states which tend to stand in a necessary relation with states of consciousness. In so far as this is the case, Tooley emphasizes that in order to have rights it is necessary that the said individual must have desires, i.e., the individual must be capable of being conscious. Single cellular organisms and zygotes, clearly fail to qualify as persons on Tooley’s analysis, suggesting that termination of early pregnancies is not a moral or legal offence.

Most of the views discussed above try to prohibit or defend abortions primarily from the perspective of the unborn foetus, deliberating upon whether or not it is a person? whether or not it can be granted rights? and if it is to be regarded as a person and granted rights, then at what stage of its development does it qualify for these privileges? etc. However, none of these discussions make any detailed reference to the role or the perspective of the pregnant mother, considering why is it that women choose to abort their pregnancies? Do they even have the autonomy and the right to make that choice? What is it (if there is anything valuable at all) which they stand to lose and forgo in case that choice is not implemented? and how does the decision of terminating a pregnancy square with the rights that the foetus is believed to be possessing?

Mary Anne Warren (2009) cites several reasons for why a woman might wish to abort a pregnancy: she might simply not want to be pregnant, the pregnancy may be unplanned and unintended, it might be the result of the unavailability or failure of contraception, or the result of coercive and forced sexual intercourse; the foetus may be severely damaged, having bleak prospects of a healthy (or extended) life post gestation; the continuation of the pregnancy and subsequent child birth might pose serious health risks for the pregnant mother to the extent of being life threatening; the mother might have financial constraints due to which she might not be in a position to continue with the pregnancy and raise a child successfully. Warren argues that the freedom to decide what happens with one's bodies, entails that the freedom to seek or reject a particular medical intervention is a basic human liberty. Given this, to deny women this right with respect to their bodies is a human rights violation and an infringement of their liberty.

Judith Jarvis Thomson (2016) presents her arguments in favour of the permissibility of abortion by suggesting that to grant that the foetus is a person does not necessarily and/or obviously allow us to conclude that abortion is morally wrong or legally impermissible. Rephrasing the standard anti-abortion arguments, she explains that most of them begin by granting that the foetus is a person and that therefore it has an undeniable right to life. The mother too (in some cases) is granted the autonomy to choose what happens in and to her body. However, since for the anti-abortionists, the right to life of the foetus appears to be principally more valuable than the mother's right to choose, the former outweighs the latter, implying that terminating the foetus is a graver offence than denying the mother her autonomy, and that therefore an abortion cannot be performed under any circumstance.

She even adds that though most anti-abortionist claims do grant that women have a right to decide what happens to their own bodies, yet they do not necessarily work out the exact philosophical implications of that supposition. Where the mother's life is at stake in continuing the pregnancy, Thomson believes, women have the right to defend their own lives against the threat posed by the foetus, even if it may require its termination. For in such cases, it cannot be claimed that since killing someone is a grave moral and legal offence, therefore the mother should just passively wait for her own death to come about, by refraining from doing anything to directly bring about an end the life-threatening pregnancy.

Thomson's central argument is that "having a right to life does not guarantee having either a right to be given the use of, or a right to be allowed continued use of, another person's body – even if one needs it for life itself" (2016, 42). Having a right to life, seems, on this interpretation to be an insufficient condition for claiming that one has a right not to be killed at all. The right to life, according to Thomson therefore "consists not in the right not to be killed but rather in the right not to be killed unjustly" (2016, 43). This revised understanding makes it incumbent upon the anti-abortionists to show not only that abortion amounts to killing the foetus, but also that it amounts to killing the foetus unjustly.

Thomson further explains that our right over our bodies entails that nobody else has the right to use our bodies unless we ourselves give them that right. And if one still allows the other person to use our bodies as an act of benevolence and kindness, it cannot still imply that the person has a positive claim over it. As a result, if one were to withdraw from granting them that privilege, one cannot be accused of acting unjustly in withdrawing that support, or of unrightfully depriving them of something which they had a rightful claim upon.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What are the most common reasons for why women choose to opt for abortion?

2. According to Finnis, what implications result from allowing abortion in cases involving threat to the life of the mother and pregnancy due to rape?

7.4 RIGHT TO CHOOSE HOW AND WITH WHOM TO HAVE A CHILD

7.4.1 Assisted Reproductive Techniques (ART)

The female physiology has been endowed with a unique natural capacity of “child bearing”/ “gestation”. However, the desire and the will to procreate and the right to reproduce, cannot be seen as being exclusively limited to or associated only with (married) women or female bodies, even though “gestation” is necessarily contingent upon the possession of one. With recent advancements in bio-technology and reproductive techniques, as well as the growing (social, political, moral, legal) recognition and inclusion of individuals and couples of alternative sexual identities (LGBTIA); any discussion of Reproductive rights demands that these rights be understood in a more expansive manner –as the basic human right to procreate which each and every individual possesses irrespective of their gender, sexual orientation, economic condition, or marital status.

The phrase “Assisted Reproduction” denotes a variety of reproductive techniques which are utilized “for creating a baby other than by sexual intercourse between a woman and a man.” While some techniques “involve only a couple (usually married), others may involve singles or unmarried couples and utilize bodily products or services of third parties” (Laura M Purdy 2009. 178). One may define assisted reproduction as “the deliberate manipulation of the process and materials of human reproduction outside of sexual intercourse” (Roxanne Mykitiuk and Jeff Nisker 2008, 112).

Techniques involving only a heterosexual couple are: “Artificial insemination by husband (AIH), “standard” IVF (*in vitro* fertilization and the related technologies of gamete intrafallopian transfer (GIFT), and zygote intrafallopian transfer (ZIFT), as well as intracytoplasmic sperm injection (ICSI) and preimplantation genetic diagnosis (PGD).”

(Laura M Purdy 2009. 178). Together with these the techniques catering to singles, unmarried couples, or same-sex couples include “insemination by donor (AID), IVF and PGD using donor eggs or sperm, as well as various forms of contract pregnancy or “surrogacy” (Laura M Purdy, assisted rep, pp 178). It needs to be noted that these are not the only methods available, as they allow for a variety of permutations and combinations. Moreover, with the ongoing advancements in biological sciences newer techniques such as cloning, eggs formed by using the material of more than one individual, artificial gametes, and artificial wombs, etc. are also being made available.

The primary impetus behind the near explosion and mass adoption of these techniques appears to be threefold: firstly, the social value accorded to the need of procreating and having children; secondly, the imposition of this value especially strongly onto women, because of the belief that unless women accomplish the role of gestating babies, they remain incomplete and unfulfilled; finally, there is the need of having one’s own “biological” children. Understandably, the preference is usually given to using one’s own gametes over using donors or going in for adoptions.

These techniques have been a great boon for individuals and couples who are unable to conceive on their own. Yet none of these methods come without their own peculiar legal and moral challenges. Where there is a demand for social acceptance there is also an urgent need for regulation. For instance, let us examine the methods of “Surrogacy” and “oocyte vending”. Surrogacy or commercial contract pregnancy involves one woman gestating a baby with the aim of relinquishing it to the actual parents and “oocyte” vending consists in the donation of ones’ eggs. Both these ART methods involve the commodification and commercial use of one’s reproductive labour or service. The most fundamental ethical issues which emerge from these practices, concern the moral permissibility of the commodification and trade of one’s body (bodily capacities, bodily products and/or bodily parts) as well as the issue of bodily autonomy and reproductive choice. While on the one hand it is argued that contract pregnancy and oocyte vending curtail the dignity of the service provider, on the other hand it is also asserted that these choices are expressions of ones’ right over one’s bodies and therefore in fact sources of empowerment. We are therefore left with the need for adjudicating with regard to what is relatively more degrading for the woman: the commodification of her body or the denial and infringement of her autonomy?

Furthermore, while it is undeniable that these techniques have come as an aid to infertile and same-sex individuals/couples, and owing to these advancements there is now also a possibility of diagnosing serious genetic abnormalities in the child, enabling prospective parents to make a well-informed decision. Yet, these prospects of pre-natal selection and genetic screening have given a back door entry to the practice of sex selection (which may lead to selective abortions) as well as that of certain forms of “eugenics” whereby one is able to determine which “favourable”/“desirable” characteristics the baby must possess. Whether or not these selective possibilities are morally and legally permissible are questions which are subject to dense ethical and legal debates.

Though assisted reproductive techniques positively expand the means and measures by which reproductive freedom and choice can be exercised, especially for those who sincerely wish to nurture children, yet there are serious constraints on availability and access which severely affect the implementation of that freedom and choice. Of foremost significance here is the fact that there are very few countries where these techniques are legally sanctioned and permissible. Another limitation stems from the fact that these techniques are extremely costly and are therefore hardly within the reach of the masses as such. And finally, not all nations have legalized homosexuality, nor is single parenthood socially and morally acceptable everywhere.

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What are some of the significant limitations/hurdles for ART?

7.5 LET US SUM UP

Reproductive rights involve all the legal and moral sanctions which are and can be made available to individuals (not just women) to ensure that they are able to exercise the right to

procreate in an autonomous, free, dignified, and non-discriminatory manner. Any discussion of the nature and extent of reproductive rights demands a comprehensive assessment of the available means (and associated challenges) of choosing for oneself whether, when, how, and with whom to have children. With technological advancements a number of provisions and techniques (such as contraception, sterilization, abortion, surrogacy, ART) have been made available that allow individuals to implement their reproductive autonomy. However, most of these measures also come associated with multi-pronged ethical and legal debates about availability, permissibility, regulations, political and social legitimacy, etc. which need to be addressed.

7.7 KEY WORDS

Abortion: the process of terminating a conceived foetus.

ART: Assisted Reproductive Technology.

Eugenics: the practice of selective breeding focused on producing certain desirable traits in the offspring.

LGBTQIA: It is the acronym for- Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual.

Surrogacy: A contract-based pregnancy, wherein one woman gestates a baby with the aim of relinquishing it to the actual parents.

7.8 FURTHER READINGS AND REFERENCES

- Battin, Margaret Pabst, (2009). "Population." In *A Companion to Bioethics*, 2nd edition, 163-177. Oxford: Blackwell Publishing Ltd.
- Dakeyman, Mary Jane and Kate Dewhirst, (2008). "Voluntariness." In *The Cambridge Textbook of Bioethics*, edited by Peter Singer and AM Viens, 31-35. New York: Cambridge University Press.
- Finnis, John, (2016). "Abortion and Health Care Ethics." In *Bioethics An Anthology*, edited by Helga Kuhse, Udo Schuklenk and Peter Singer 3rd edition, 15-22. Oxford: John Wiley and Sons.
- Greefeld, Dorothy A. and Emre Seli, (2016). "Assisted Reproduction in Same Sex Couples." In *Bioethics An Anthology*, edited by Helga Kuhse, Udo Schuklenk and Peter Singer 3rd edition, 74-85. Oxford: John Wiley and Sons.
- Jennings, Bruce, (2007). "Autonomy." In *The Oxford Handbook of Bioethics*, edited by Bonnie Steinbock, 72-89. Oxford: Oxford University Press.

- Marquis, Don, (2016). "Why Abortion is Immoral." In *Bioethics An Anthology*, edited by Helga Kuhse, Udo Schuklenk and Peter Singer 3rd edition, 49-60. Oxford: John Wiley and Sons.
- Marquis, Don, (2007). "Abortion Revisited." In *The Oxford Handbook of Bioethics*, edited by Bonnie Steinbock, 395-415. Oxford: Oxford University Press.
- McLeod, Carolyn. For Dignity or Money: Feminists on the Commodification of Women's Reproductive Labour, 258-281. In *The Oxford Handbook of Bioethics*, edited by Bonnie Steinbock, 258-281. Oxford: Oxford University Press, 2007.
- Mykitiuk, Roxanne and Jeff Nisker, (2008). "Assisted Reproduction." In *The Cambridge Textbook of Bioethics*, edited by Peter Singer and AM Viens, 112-120. New York: Cambridge University Press.
- Purdy, Laura M., (2009). "Assisted Reproduction, Prenatal Testing and Sex Selection." In *A Companion to Bioethics*, 2nd edition, 178-192. Oxford: Blackwell Publishing Ltd..
- Steinbock, Bonnie, (2009). "Mother-Fetus conflict." In *A Companion to Bioethics*, 2nd edition, 149-160. Oxford: Blackwell Publishing Ltd.
- Steinbock, Bonnie. Surrogate Motherhood as Prenatal Adoption. *Law, Medicine and Healthcare*, 16(1-2): 44-50.
- Tooley, Michael, (2016). "Abortion and Infanticide." In *Bioethics An Anthology*, edited by Helga Kuhse, Udo Schuklenk and Peter Singer 3rd edition, 23-37. Oxford: John Wiley and Sons.
- Tooley, Michael, (2009). "Personhood." In *A Companion to Bioethics*, 2nd edition, 129-139. Oxford: Blackwell Publishing Ltd.
- Thomson, Judith Jarvis, (2009). "A Defense of Abortion." In *Bioethics An Anthology*, edited by Helga Kuhse, Udo Schuklenk and Peter Singer, 3rd edition, 38-48. Oxford: John Wiley and Sons.
- Warren, Mary Anne, (2009). "Abortion." In *A Companion to Bioethics*, 2nd edition, 140-148. Oxford: Blackwell Publishing Ltd.
- Williams, John R. (2008). "Consent." In *The Cambridge Textbook of Bioethics*, edited by Peter Singer and AM Viens, 11-16. New York: Cambridge University Press.

Anthologies

- Kuhse, Helga, Udo Schuklenk and Peter Singer (eds.), (2016). *Bioethics An Anthology*, 3rd edition. Oxford: John Wiley and Sons.
- Kuhse, Helga and Peter Singer (eds.), (2009). *A Companion to Bioethics*, 2nd edition. Oxford: Blackwell Publishing Ltd.
- Singer, Peter and AM Viens (eds.), (2008). *The Cambridge Textbook of Bioethics*. New York: Cambridge University Press.
- Steinbock, Bonnie (ed.), (2007). *The Oxford Handbook of Bioethics*. Oxford: Oxford University Press.

Weblink (Online entries)

- <https://iep.utm.edu/abortion/> (entry on “Abortion”)
- <https://iep.utm.edu/surr-par/> (entry on “Surrogate Parenting”)
- <https://plato.stanford.edu/entries/rights/> (entry on “Rights”)
- <https://plato.stanford.edu/entries/rights-human/> (entry on “Human Rights”)
- <https://plato.stanford.edu/entries/parenthood/> (entry on “Parenthood and Procreation”)

7.9 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Reproductive rights can appear through two interrelated dimensions,
 1. As Moral norms and codes of moral conduct that have come to be supported by strong reasoning and rational deliberation with respect to certain matters of concern and value.
 2. As Civil and constitutional rights

Check Your Progress II

1. The Common reasons for why women choose to opt for abortion are,
 - a) She might not want to be pregnant, the pregnancy may be unplanned and unintended, it might be the result of the unavailability or failure of contraception, or the result of coercive and forced sexual intercourse;
 - b) The foetus may be severely damaged, having bleak prospects of a healthy (or extended) life post gestation;
 - c) The continuation of the pregnancy and subsequent child birth might pose serious health risks for the pregnant mother to the extent of being life threatening;
 - d) The mother might have financial constraints due to which she might not be in a position to continue with the pregnancy and raise a child successfully
2. According to Finnis, implications result from allowing abortion in cases involving threat to the life of the mother and pregnancy due to rape are,
 - a) Allowing killing to be used as a means for achieving some other end
 - b) Prioritizing and giving more value to the life of the mother in all circumstances

Check Your Progress III

1. Some of the significant limitations/hurdles for ART are,
 - a) They promote sex selection and eugenics (which are morally and legally debatable issues)
 - b) There are very few countries where these techniques are legally sanctioned and permissible.

- c) These techniques are extremely costly and are therefore hardly within the reach of the masses.
- d) Not all nations have legalized homosexuality, nor is single parenthood socially and morally acceptable everywhere.



ignou
THE PEOPLE'S
UNIVERSITY

Structure

- 8.0 Objectives
- 8.1 Introduction
- 8.2 Origin and Definition of Terrorism
- 8.3 History of Terrorism
- 8.4 Causes of Terrorism
- 8.5 Consequences of Terrorism
- 8.6 Terrorism and Social Ethics
- 8.7 Let Us Sum Up
- 8.8 Key Words
- 8.9 Further Readings and References
- 8.10 Answers to Check Your Progress

8.0 OBJECTIVES

In this unit, we are going to review one of the world's challenging situations of today, namely, terrorism. We examine the general aspects of terrorism to have a better grasp of the meaning, history, causes, consequences and the ethical aspects of terrorism.

By the end of this unit, you will be able to:

- Understand the concept of terrorism, especially its definition and origin
- Comprehend the history of terrorism
- Identify the causes and consequences of terrorism, and
- Recognize the link between terrorism and social ethics.

8.1 INTRODUCTION

We are living in a world that is intimidated by belligerent forces that cannot be entirely attributed to any one particular region or country, or any specific religious or ethnic identity. Terrorism builds a kind of psychological state of extreme fear, insecurity and anxiety, besides the physical damages it causes in terms of loss of life and material goods. A terrorist activity is able to cause massive impairment to an individual and the society at large due to its surprise and shock tactics. The target is selected at random to produce the

* Dr. Joy Kaippananickal, Visiting Professor, Kristu Jyoti College, Bangalore.

maximum panic among the innocent people. The perceptible cruelty of the act adds to the elements of shock and fear. Terrorism seeks above all to create a sensation within the ranks of the enemy in the public opinion and abroad.

8.2 ORIGIN AND DEFINITION OF THE TERM ‘TERRORISM’

There are several opinions regarding the origin of terrorism. According to one theory, the term terrorism comes from the French word *terrorisme*, which is based on the Latin verb *terrere* (to cause to urinate), and which refers to a kind of violence or the threat of imminent violence. It is noted that the terrorism as a concept was first used by the British statesman Edmund Burke. He used it in the context of the Reign of Terror during the French Revolution. In those days, terror was understood to be a tool of dictatorship and as a symbol of power.

However, the word terrorism assumed a slightly different connotation in the 18th century A.D. with the arrival of German Philosopher Immanuel Kant who wrote about it in 1798 to describe the destiny of humankind. He indicated terrorism as a kind of loss of trust and hope for a joint way out to the problems of life. It is also indicative of the frightening experience of extreme loneliness in one's struggles for liberation.

The term terrorism assumed a revolutionary meaning in the 19th century when it tried to identify both the perpetrators of violence and their victims or objectives. Any terrorist attack at that time was seen as a special sort of violent behavior against the state. It was an attack aimed at disturbing the general running of the society to achieve some political goals. Terrorism involved itself with a variety of violent means starting from arbitrary bombing, through politically motivated kidnappings, assassination, and destruction of property, both governmental and individual.

Nationalism and nationalistic interests were brought into the fray of terrorism in the second half of the 19th century. This implies the perception that there were no innocent non-combatants. After that the world was brought about a distinctive meaning to terrorism. During this time terrorism came to be linked with the methodologies of Fascism in Italy and Nazism in Germany. Since then, the terms terrorism and terrorist carry a strong negative undertone. These terms are often used as political labels to condemn violence or to rationalize the torture and even the execution of those who are labeled terrorists.

Though we are living in the midst of terrorism and similar activities, it is difficult to define accurately the phenomenon of terrorism. However, it can be defined as an organized

violence against the State or individuals with some political and personal objectives. Again, it can be said that terrorism is the unlawful use or threat of violence against a person or property to further political or social objectives. It is sometimes used as a means to intimidate or coerce a government, individuals or groups to modify their behavior or policies.

The *Oxford Advanced Dictionary* defines terrorism as the use of violent action in order to achieve political aims or to force a government to act. The *Encyclopedia Britannica* describes terrorism as the systematic use of terror or unpredictable violence against governments, public or individuals, to attain a political objective. It can be broadly defined as violent behaviour designed to generate fear in the community or a substantial segment of it for political purpose. It is the use of violence on the part of non-governmental groups to achieve political ends. According to the *Encyclopedia of Social Sciences*, terrorism is a method whereby an organized group or party seeks to achieve its vowed aims chiefly through the systematic use of violence.

The terrorists use various methods to cause panic and fear among people. Some of these methods include hostage taking, hijacking, political assassination, kidnapping, bombing, and explosions.

Terrorism has several objectives, such as, to advertise the movement or to give publicity to the ideology and strength of the movement; to mobilize mass support and urge sympathizers to greater militancy; to eliminate opponents and informers and thus remove obstacles to the growth of the movement; to demonstrate the inability of the government to support the people and maintain order; to destroy internal stability and create a feeling of fear and insecurity among the public; and to ensure the allegiance and obedience of the followers.

8.3 HISTORY OF TERRORISM

Terrorism as it is today has a long historical evolution. It has evolved into the present form due to various factors and events. Another distinct form of dehumanization is seen in the thoughts of Frederick Nietzsche who classified people according to their intelligence and spoke of a master and slave morality. It is also a fact that there existed various other forms of dehumanization based on gender, colour, creed, false belief, employment, power, and myths etc.

This eventful history can go as far back as the recorded history of the world. The Old Testament section of the Bible advocates terror, murder, and all type of callous practices on

rivals. The assassination of kings by enemies, and the brutal suppression of loyalists afterwards, has been an established pattern of political ascent since Julius Caesar (BC 44). The Zealots in Israel (100 AD) wrestled against the Roman occupation in numerous ways. If terrorism can be understood subtly as the process of dehumanization, it can be recalled that such a scenario existed in ancient Rome in the form of the man-beast fight. The Assassins in Iraq (1100 AD) fought the Christian Crusaders with suicide tactics. The Thuggees in India (1300 AD) kidnapped travellers for sacrifice to their Gods and Goddess. The Spanish Inquisition (1469-1600 AD) dealt with Heretics by systematized torture, and the whole medieval era was based on terrorizing countryside. The Luddites (1811-1816 AD) destroyed machinery and any symbol of modern technology. A Serb terrorist (1914 AD) started the World War I. Hitler's rise to power (1932) involved plans for genocide. Nations like Ireland, Cyprus, Algeria, Tunisia, and Israel probably would have never become republics if not for revolutionary terrorist activities. Based on the above findings, the long and eventful history of terrorism can be further divided into the following periods:

1. Terror in the Ancient World: The terrorist movement in Palestine during 66-73 AD is considered to be the first terrorist movement in the recorded history. The earliest known organization that exhibited aspects of a modern terrorist organization was the Zealots, a group of Jewish nationalists, who put up resistance to Roman rule in Judaea. Known to the Romans as Sicarii, or dagger-men, they carried on an underground campaign to root out the Roman occupation forces, as well as some Jews they thought had collaborated with the Romans.

2. Terror in the Middle Ages: From the late 13th century to the 17th centuries, terror and barbarism were widely used in warfare and conflict. Until the rise of the modern nation state after the Treaty of Westphalia in 1648, the sort of principal authority and organized society that terrorism attempts to influence barely existed. Moreover, terrorism as we now understand it was not possible until the invention of gunpowder and subsequent explosives and incendiaries. In the late middle ages, the concept of terrorism was introduced during the French Revolution. It is said that in order to establish law and order in the State, the Committee of Public Safety killed more than 17,000 people. These severe measures of the government came to be known as "The Reign of Terror." The agents of the Committee of Public Safety and the National Convention that enforced the policies of "The Terror"

were referred to as “Terrorists”. This is regarded as the origin of the word terrorism, though extra-legal activities such as killing prominent officials and aristocrats in gruesome spectacles started by the Parisian mobs long before the guillotine was first used.

3. Terrorism in the Modern and Contemporary Era: The terrorists have become more destructive in the backdrop of modern complexities. During the 19th century, some nationalists in small European countries wanted to break free from the rule of larger empires. Known as Anarchists, they found they could get what they wanted by committing acts of terror. Revolutionary groups working to overthrow the Russian rule and the Irish nationalist groups also understood this. So they adopted terrorism as a method in Western Europe, Russia, and the United States. They believed that the best way to effect revolutionary, political, and social change was to assassinate persons who are holding responsible positions. From 1865 a number of kings, presidents, and prime ministers were killed by the Anarchists.

If early terrorism targeted those in power, in the twentieth century, the terrorists have begun targeting the innocent civilians who have no link with the actual cause they are fighting for. Today’s terrorists are techno-savvy. They are skilled in the use of chemical, biological, nuclear and conventional weapons and modern communication systems, which makes them more terrifying.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. How do you define the term ‘terrorism’?

2. Briefly describe the historical development of terrorism.

8.4 CAUSES OF TERRORISM

Terrorism has several causes which can be related to social, historical, cultural, religious, economic, and psychological aspects. The following could be seen as some of the causes of terrorism:

1. The Reality of Persistent Disputes: Terrorism has its breeding ground in conflicts. Reasons for conflicts, however, can vary widely. Basically, it is the differences in objectives and ideologies that show the way to conflict. Some of the historical examples to this effect are: dominance of territory or resources by various ethnic, linguistic, religious or cultural groups; aspiration for freedom from foreign regimes; imposition of a particular form of government, such as democracy, theocracy, oligarchy, or dictatorship; economic deprivation of a population; and real or perceived instances of injustices.

2. Dearth of Reasonable Redressal Procedure: The absence of a systematic and proper redressal system can cause continued terrorist activities. If such a system were to exist, people will have recourse to it and thus solve conflicting situations. When such systems are not available due to their nonexistence, sloth, corruption; or unaffordable cost, the socially and culturally wounded people will get tempted to seek solution by themselves. Terrorist activities thus can arise from a sense of denial of lawful right of a certain group of people, for which they have been demanding determinedly.

3. Weakness of the Distressed People: When there are violent discords coupled with the absence of a genuine redressal system, there could be attempts to find solutions to the problems by force. This could result in various kinds of organized violence like communal riots and war. However, violence takes an ugly form through terrorism when the distressed people realize their inability to influence the dominator, due to their weakness. In such a situation, they are unable to face the oppressive forces face to face or in a direct manner. Therefore, they go underground and fight for their cause.

4. Misguidance: When children and youth are not brought up responsibly by their parents or guardians, there is a high risk for them to get involved with violent groups or militancy. There are vested interested groups who indoctrinate young minds to take up arms to right for their causes which are sometimes fabricated. Often, ideologies of hatred in the name of religion, ethnic loyalty or nationalism are injected into the minds of people.

These youngsters are trained to cause destruction and are armed with deadly weapons. Their misguidance becomes complete when they are taught to regard the death and destruction of their enemies as a glorious achievement and their own possible death in the process as heroic martyrdom.

5. Influence of the Mass Media: Mass media are showing keen interest in terrorism and in the issues related to it. We find radio stations, television channels, newspapers, and Web pages often discussing this subject. These broadcasts reach a large portico of people in the world, especially those in the West and intensify the fear that the threat of terrorism generates. The terrorists make use of this effect of the media, thus turning them into an unwilling ally. The wide coverage given in the media motivates a terrorist organization to go ahead with their plans, since they know for sure that their action will be made known to the whole world and thus draw greater attention to the cause. Often, the live coverage of the terrorist activity helps the perpetrators of violence to get away from the site of the violence in an easy manner. In such cases, the mass media can become an unwilling ally of terrorism.

6. Democratic State: Though it is opined by researchers that democratic nations are generally less vulnerable to terrorism, however, they too are not free from terrorist activities. There is a complex relationship between terrorism and democracy. Though in one sense democracy diminishes the risk of terrorism by undercutting some of its reasons, in another sense it often contributes to its prevalence. The open nature of democratic societies makes them vulnerable to terrorism. In such societies, civil liberties are protected, and government control and constant surveillance of the people and their activities are kept to the minimum.

It should also be noted that in democratic societies the risk of terrorism is compounded if the law enforcement is slow or inefficient. In such democracies the aggrieved people, having lost faith in the ability of the legal system of the country to deliver justice, are seen to take law into their own hands, and if they are weak, they do it clandestinely.

7. Globalization: It can be said that globalization, though not a direct cause of terrorism, it can often contribute to the menace of terrorism. The situation brought about by the linkage, even fusion, around the world of communications and financial systems has contributed to the promotion of global terrorism. Again, new communications such as the Internet and satellite phones have made it possible for the extremist terrorist and political organizations to build large organizational networks, exchange information, and combine

resources.

8. Psychological Factors: Many psychologists believe that the key to understand terrorism lies in understanding people. According to this perspective, terrorism is purely the result of psychological forces, not a well-thought-out strategy aimed at achieving rational, strategic ends. Therefore, psychologists emphasize the study of the mind of the terrorists. Accordingly, various attempts have been made to gain knowledge of the hidden psychic dynamism which incites a person to perform such acts without any qualm of conscience. There is another psychological view which says that the terrorists are normal individuals, who due to their deep emotional need and a high order of motivation on the grounds of nationalism or religious sentiment forces him to take up the path of violence. Another reason for taking up terrorism could be due to the desire to overcome loneliness. They claim that many terrorists are people who have been rejected in some fashion by society and tend to be loners. Since it is in human nature to be part of a group, an alienated loner is naturally drawn towards any group that will accept him, give him a sense of mission, and provide him the ways and means of accomplishing it, along with monetary gains.

8.5 CONSEQUENCES OF TERRORISM

The causes of the growing terrorism in a State are many. Mostly the terrorists are motivated by religious and political consideration, but there are also economic factors.

1. Environmental Consequences: Terrorist activities can paralyze the entire cosmos with its vulnerable activities. It can be said that every terrorist attack is a way of demeaning the entire universe. The cosmos, which is the habitat of life, is dishonored into a place of death and doom. The very fact that a human being is a cosmic reality, he/she is automatically dehumanized in the wake of every terrorist activity. Anything that is done against the cosmic *rta* is going to affect all the living and non-living beings of the universe. Sowing the seeds of disorder, disharmony and discontent has turned to be the work of a number of psychosomatics.

2. Political Consequences: Terrorism builds up both direct and indirect pressure on the government to weaken it physically and psychologically. The function of terror can also be to discourage the people from cooperating with or giving information to the government. The deepest anxiety amongst ordinary people arises when they fear a collapse of law and order. Terrorism works towards a collapse of the social order and terrorists exploit this situation by trying to project them as a better alternative. In this state of fear and anxiety

the essential services may not function properly. Terrorism grew out of political anarchy.

Terror incorporates two facets: first, a state of fear or anxiety within an individual or a group and second, the tool that induces the state of fear. Thus, terror involves the threat or use of symbolic violent acts aimed at influencing political behavior. Following World War II, political terrorism reemerged on the international scene. During the 1960s, political terrorism appeared to have entered into another phase. Perhaps the two most significant qualitative changes were: first, its transnational character and second, its emergence as a self-sufficient strategy, namely, operating independently of the larger political arena.

Political terrorism occurs as the result of a conscious decision by ideologically inspired groups to strike back at what their members may perceive as unjust within a given society or polity. The answers to contemporary political terrorism, therefore, would have to be found within this larger social, economic, political, and psychological context.

3. Economic Consequences: Terrorism aims at maximizing economic impact in the world at large. The destruction of the twin-towers on that Tuesday of 11th September, 2001 has caused much confusion and disarray in the global economic scenario. Since each act of terrorism is designed in such a way as to have an impact on the larger audience, its reverberations and after effects are largely seen in the economic area. Nations and government machineries are forced to equip themselves with latest technologies to combat the network of terrorism. All those involve the bifurcation of national funds which could be made use of other purposes. Terrorism, in other words, deteriorates the economy of a nation. The economy of a nation does not include its financial conditions alone. It deals with all forms of wealth such as human resource, natural resource, intellectual power, aesthetic power, creative power, and money-power and so on. Therefore, economic consequences of terrorism affect all forms of wealth without which human life would be impossible.

8.6 TERRORISM AND SOCIAL ETHICS

Terrorism has turned out over the years to be a method of dehumanizing the entire spectrum of human beings. The principles of the terrorists are rooted in destruction and dehumanization. Consequently, they take control of the ethical supervision of a society and fabricate the citizens of a substandard conscience and a splintered morality. Terror is not merely a rational phenomenon. It envelops people, body, mind, and spirit. It leaves people paralyzed by anxiety and fear.

Terrorism in all its forms is always wrong. Terrorism violates human rights, including the

basic right to be treated as a moral person. Art. 3 of the United Nations' *Universal Declaration of Human Rights* states, among other things, that everyone has the right to life. The importance of our acknowledging such a universal human right is evident: the protection of human life is the sine qua non of the individual's capacity to realize anything and everything – any and all values– a human being is capable of realizing in relation to himself or herself and others.

Terrorism as a phenomenon does raise a few ethical questions for our study and reflection. The growing hate campaigns against groups, regions and countries affect the normal morale of the society. Terrorism can thus be a threat to the civilization of the world. For, behaving ethically is a part of being civilized. The terrorists, however, are devoid of any love and benevolence and are disinterested in truth of life. They do not like to cultivate any art, literature and music. They prefer darkness of nights to the light of the day. They like their hiding places more than one loves one's home. They often kidnap children for claiming ransom. They have no qualms of conscience to make married women suddenly widows even after a few hours of marriage.

In the ancient time, there was more respect for the human life. Whenever there was any war or battle, it used to be the rule that you had to take precautions not to injure innocents. In any battle that took place, it was the custom that the people should be protected from the effects of the battles. Very often people were cleared from the battle area prior to the commencement of war. But unfortunately in today's world, human life has become worthless. The terror attacks are mostly carried out in places where the people gather in huge numbers such as places of worship, market places, transport stations etc.

Broadly speaking, a distinction can be made between two major traditions within the ethical thought: absolutist theories, which give prominence to moral duties which are obligatory in nature, and utilitarian suppositions, which hold the view that behaviour is right if it maximizes the happiness or welfare of the majority. The former points out the fact that we should uphold those rules which would maximize the general welfare if everyone followed them, even though they may not seem to do so in a particular instance; while the latter gives the possibility of maximizing the general welfare at the expense of minorities.

Universal pacifists are morally opposed to all kinds of violence, not just to killing. The most interesting pacifist of the twentieth century is Mahatma Gandhi. He developed his doctrine of non-violence which proved to be very effective in the Indian freedom struggle

which he led from the forefront. As world citizens, everyone should be encouraged to follow the example of Mahatma Gandhi who had a philosophy of life blended with the jewels of truth and non-violence. He led a bloodless struggle for the freedom of a nation, and of love, peace and everlasting joy in the hearts of millions of humans. *Sarvodaya* (welfare of all) was his secret. He believed in the culture of inter-human and intra-human relationship and love was the powerful weapon he used. Inter-human relationship is built upon the principles of love and respect and it exists between or among the humans. Intra-human relationship is also based on love and respect but it exists within the humans alone. It is centred on the principle of sacredness of one's own life and that of the other. That is to say, intra-human relationship never permits one to become a suicide-bomber, which causes destruction to oneself and one's own fellow humans. Likewise, intra-human relationship paves the way for a person to respect the other as a person and not as a thing or means for one's end. Gandhi believed in truth and love.

Terrorist groups must establish and follow ethical codes which should govern the conduct of their struggle. Insofar as possible, these standards should follow international laws governing warfare. The orbit of terrorism should not be allowed to violate humanization process of the individuals.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What are the causes of terrorism?

2. How do you understand terrorism in the context of ethics?

8.7 LET US SUM UP

Terrorism is the biggest threat to the security of the world at the present scenario. It begets a sense of repugnance and disgust deep in the people's mind. It can destroy the world peace with its indiscriminate attacks. Terrorism does not observe any code of conduct concerning the value of life. They dedicate themselves to the destruction of the innocent people. As members of the world community we need to work toward a set of ethical standards in the wake of the growing menace of terrorism in the world today.

The fight against terrorism can be effective only if governments cooperate more closely especially through the exchange of relevant information concerning the prevention and combating of terrorism, identification, arrest and prosecution or extradition of terrorists. People should be educated for international thinking. Peace education should be encouraged in all the educational institutions.

Every human being and society should respond positively to the tragic situations arising from terrorist activities, so that our collective human involvement would enhance the prospects for a better tomorrow. All such agencies need to function under a moral framework, so that everyone involved would respond morally to the evils committed in a manner that is strictly human in character.

8.8 KEY WORDS

Psychosomatics: Psychosomatics relates to a disorder having physical symptoms but originating from mental or emotional causes.

Fascism: Fascism is a political ideology that stands for radical and authoritarian nationalism. The fascists advocate the creation of a single-party state. They forbid and suppress openness and opposition to the fascist state.

Nazism: Nazism is the totalitarian ideology and practices of the Nazi Party or National Socialist German Workers' Party under Adolf Hitler. It is a form of fascism.

8.9 FURTHER READINGS AND REFERENCES

- Alexander, Yonah and S. M. Finger. *Terrorism: Interdisciplinary Perspectives*. United Kingdom: The John Jay Press, 1977.

- Arnold, Terrel and Moorhead Kennedy. *Think about Terrorism: The New Warfare*. New York: Walker and Company, 1988.
- Attumkal, Mathew. "Terrorism: A New Mode of Dehumanizing People into 'Targets'." *Journal of Dharma*, Vol. XXXII, no. 1 (January – March, 2007), 73-84.
- Barker, Jonathan. *The No-Nonsense Guide to Terrorism*. Jaipur: Rawat Publications, 2005.
- Goyal, Archana. *Terrorism: Causes and Consequences*. Bikaner: Institute of Environment, 1990.
- Miceli, Vincent P. *The Roots of Violence*. New York: The Christopher Publishing House, 1989.
- Perumalil, Augustine. "Terrorism: The Threat and Response." *SNC Journal of Intercultural Philosophy*, no. 14 (August 2008), 26-64.
- Quddus, Abdul. *The Mirage of Terrorism*. Delhi: Amarnath Pages, 2003.
- Saksena, N. S. *Terrorism: History and Facets in the World and in India*. New Delhi: Abhinav Publications, 1985.
- White, James E. *Contemporary Moral Problems* (7th edn). Australia: Wadsworth and Thomson Learning, 2003.

8.10 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. *The Oxford Advanced Dictionary* defines terrorism as the use of violent action in order to achieve political aims to force a government to act. The *Encyclopedia Britannica* describes terrorism as the systematic use of terror or unpredictable violence against governments, public or individuals, to attain a political objective. *The Encyclopedia of Social Sciences* defines terrorism as a method whereby an organized group or party seeks to achieve its vowed aims chiefly through the systematic use of violence.
2. The history of terrorism can be traced back as to very time when history began to be recorded. In the ancient world we see the first terrorist movement led by the Zealots, a group of Jewish nationalists, who put up resistance to Roman rule in Judea. In the middle ages, beginning from 13th century to 17th century we get to see especially during the French Revolution. Terrorism in the modern and contemporary era we see several revolutionary groups popping up all across Europe, Russia and United States.

The main means that are being used are assassinations and bombings.

Check Your Progress II

1. The causes of terrorism can be several. Ideological and Objective differences can lead to conflict, which if not resolved amicably can lead to terrorism. If there is no system by which there is no systematic and proper redressal, then it could lead to terrorist activities. Violent discords together with the absence of a genuine redressal system, attempts could be made to find solutions by force. Militants are other extremist groups could indoctrinate the minds of people, especially that of young people making them vulnerable to terrorist activities. Mass Media with their wide and in-depth and sometimes live coverage of the terrorist activities can become an unwilling ally of terrorists. Contrasting democratic and repressive societies it has been noticed that in democratic societies there is an increased frequency of terrorist activity. Terrorists have also been greatly helped by globalization the reason being the availability of financial systems and sophisticated communication system. Terrorists are basically lonely people who have been rejected at some time or the other. So they undertake this form of violence to have a sense of mission and provide them with the ways and means of accomplishing it, along with monetary gains.

2. In the context of ethics, terrorism can be surely said to be a threat to the civilization of the world. Terrorists just do not care about human life. Within the ethical thought one can say that there are two major traditions, one that of absolutist theories and utilitarian suppositions. Both have its drawbacks. In this scenario one needs to follow the example of *Sarvodaya* (welfare of all) of Gandhiji. Intra-human relationships and intra-human culture must be promoted.

UNIT 9 CAPITAL PUNISHMENT*

Structure

9.0 Objectives

9.1 Introduction

9.2 Definition

9.3 Justifications

9.4 Arguments For And Against

9.5 Let Us Sum Up

9.6 Key Words

9.7 Further Reading and References

9.8 Answers to Check Your Progress

9.0 OBJECTIVES

- The unit on capital punishment is going to acquaint the students with the concept of death penalty or capital punishment.
- The unit will look at the definition of the term apart from its origins and arguments presented in support and against it.

9.1 INTRODUCTION

Punishment involves deliberately inflicting one or another form of suffering on person or persons who have committed a crime. In other words, punishment involves application of some stringent measures against those who have violated the legal code of the state, country, etc. where they reside. Punishment involves use of methods that would be ordinarily questioned as violating the dignity of the individual. Thus, punishment basically involves explaining why such a behaviour against the violator is permissible.

* Dr. Sudnya N. Kulkarni, Associate Professor, Department of Philosophy, Janki Devi Memorial College, University of Delhi.

Punishment can take many different forms and the methods involved in punishing the perpetrator may vary from country to country or region to region. The different ways in which a perpetrator can be punished may involve imprisonment, torture, fining, banning, seizing property, home imprisonment and even death penalty or capital punishment. All these are ways of denying freedom or restraining the freedom of the perpetrator or the criminal. All these methods of punishment can be justified only if they are backed by sound reasons that are justifiable in a court of law or any other arrangement that is binding on the parties.

Often times, punishment has been supported by two reasons:

- 1- The person who committed the crime is made to suffer for the wrong act or misbehaviour. This is justified on the grounds that those guilty of crime should be made to suffer. The punishment will not undo the damage but it does provide solace or comfort to the suffering party that the criminal did not get away with the crime. In other words, the criminal or perpetrator was punished for the wrong doing.
- 2- The second reason that is given to justify punishment is based on the consequences that it leads to. Punishment not only punishes the perpetrator but also sends a message to the society that any one indulging in a similar activity will also be punished in a similar manner.

Both these approaches are categorised as backward looking or forward looking- Retributivism and consequentialism. The two main theories or rival schools of thought which have presented arguments for and against punishment. Consequentialists believe that punishment is justified because it leads to consequences that are good for the society. Consequentialism is forward looking in its approach as against Retributivism. Retributivism argues that punishment is justified because it pays back the offender for breaking the law and is therefore, intrinsically good.

One should however assess punishment not simply from the point of view of the effects of the punishment but also from the perspective of the nature of the crime committed. Sometimes punishment is given to censure or stop the recurrence of the crime or the wrongful act. For example, a parent scolding or punishing a child for a wrongful act is done to prevent the child from committing the same act in future. Both purposes of punishment, namely retribution and deterrence are not opposite to each other but are linked together. In other words, the two approaches are not water tight compartments. In order to justify punishment,

we must look at it as a method by means of which individual actions can be evaluated and certain responses to those actions be given.

In the light of this brief introduction of what is punishment and the two theories that are dominant in ethics and philosophy of law, we will now look at capital punishment.

9.2 CAPITAL PUNISHMENT

Capital punishment or the death penalty is an institutionalised form of punishment that involves deliberately executing a person or persons for their alleged misconduct. Capital punishment looks to justify that the person or persons have indulged in an act that warrants death by execution.

If we look at the origins of the term Capital Punishment, we find that the term is old and one can find roots of it in classical Latin and French literature, where the term capital indicated punishment by beheading or loss of life. One of the first reference to capital punishment is found in the Babylonian Code of Hammurabi that had 25 crimes listed as capital crimes. Even the Mosaic code of the Hebrews identified numerous crimes punishable by death. Draco's code of 621BCE of Athens referred to a host of crimes punishable by death. A similar case was also there in the 12 tables of Roman law that included capital punishment. All in all, the ancient world did not shy away from using capital punishment against a host of crimes.

Medieval and Early Modern Europe also practiced capital punishment and often times the methods involved included death by beheading, stoning, drowning, beating to death etc. With the passage of time in the 18th and 19th centuries the process of inflicting capital punishment became less painful and mostly such punishments were carried out by hanging or beheading.

In the United States, capital punishment has been in practice since the original colonies were formed. In fact, it was used for a large number of crimes including burglary, murder, treason, counterfeiting. As time progressed the law makers began to review such practices and in 1791 the constitution was amended for the 8th time to prohibit any form of punishment considered as cruel and unusual. In the 1800's the electric chair was introduced and in 1970's the lethal injection to make death less painful for the guilty. However, over a period of time death penalty or capital punishment has become more controversial and throughout the world

and several states within the United States have abolished it completely. As of now, Out of the 194 UN member countries, 54 have abolished it completely.

As discussed earlier the two major theories of punishment are **Retributivism and Consequentialism**.

9.2.1 Retributive Approach

There are many versions of this approach but almost all agree on one point that the offence has been committed and it cannot go unpunished. For the retributivists, future results do not matter. Punishment according to them, is morally permissible because criminals deserve to be punished. The amount of punishment that is to be meted out must be in proportion to the seriousness of the crime committed. Thus, retributivism seems to operate on the principle, that giving people what they deserve is morally justified.

So, far as, capital punishment goes retributivism looks at the principle of *lex talionis* or *an eye for an eye*, an idea based on the biblical tradition. Within retributivism there are many versions that have interpreted this biblical notion differently. One chief philosopher who needs to be mentioned is, Immanuel Kant, who in the late 18th century argued in his *The Metaphysics of Morals* that the principle of *lex talionis* has to be employed when a murder has been committed. Kant based his retributive theory of punishment on the principle of equality and basic human dignity or his concept of every rational being as an end in itself.

Contemporary retributivists have interpreted this idea as expressing proportionality rather than an equitable measure of crime and punishment. Philosophers like, John Rawls have talked of an idea of fairness. Any misconduct or violation of rules allows the perpetrator to take an unfair advantage of the system. To ensure that such practices do not put people in disadvantageous conditions, punishment has to be given. Thus, retributive punishment would act like a check.

9.2.2 Consequentialist Approach

Consequentialist approach makes the connection between crime and punishment a contingent one. This approach analyses capital punishment in view of the consequences or results it leads too. If the death penalty results in an increase of general happiness and promotes peace in society then it is justifiable. The consequentialist approach is often classified as forward looking as against the retributive approach which is considered to be backward looking.

The consequentialist approach is rooted in the Utilitarian theory. The main proponents of this theory were Jeremy Bentham and John Stuart Mill. For, Bentham punishment basically serves to prevent crime, reform the offender and also deters future offenders from committing crimes. John Stuart Mill also supported death penalty, as he felt it would deter criminals from committing grievous crimes. The deterrent theory of punishment basically seeks to create fear in the minds of others by providing adequate penalty to the offenders. The punishment also acts as a warning to others. The theory operates on the belief that if the criminal is not punished the crimes may increase manifold.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Define Capital Punishment.

3. Explain briefly the Retributive and Consequentialist theories of punishment.

4. Elucidate the concept of *lex talionis*.

9.3 ARGUMENTS FOR AND AGAINST

Before we evaluate capital punishment, we must assess the concept of punishment. Often times it has been argued that criminal activities arise due to several factors which may include external circumstances as well as the mental framework of the offender. These reasons are suggestive of a strain of thought that crimes can be or may have a causal explanation. But such an approach may not help in providing a sound justification for punishment, all that it does is to point out that in certain cases persons may not be able to control their actions because of a genetic problem. Whether it is social circumstances or genetic framework, both do not provide a comprehensive framework to cover all aspects of punishment. Thus, punishment needs to be evaluated and justified.

Death penalty or capital punishment, is one of the most controversial forms of punishment and has been at the centre a debate regarding its efficacy in preventing crime. In recent years the debate around it has resulted in those who are in favour of abolishing it and those who want to retain it. These two approaches are broadly divided into the retentionists and abolitionists.

The retentionists rely on consequentialist and retributive approach to support their arguments for capital punishment. The consequentialist claim is that death is a superior deterrent as compared to other available forms of punishment. The retributive argument is that death penalty is the only penalty severe enough to be appropriate compensation for the most heinous crimes.

The abolitionists on the other hand challenge both these arguments of the retentionists, by stating that there is insufficient evidence to demonstrate that death penalty or capital punishment acts as deterrent in preventing future acts of homicide. In fact, they assert that life imprisonment is more effective than death penalty. Another reason for questioning capital punishment is that it is racially biased and, targeted towards the socio-economically vulnerable group and also error prone.

Capital punishment has also been assessed by those in favour of it by stating that –

1. Punishing a criminal who has committed a heinous crime is justified because that criminal is beyond the stage of being rehabilitated into the society.
2. Punishing such a criminal provides a closure for the victim's family'

3. The criminal can be used as a negotiating tool by police and investigators where a reduced sentence may help them in catching criminals.

However, those who oppose capital punishment argue-

1. It is cruel and immoral. It is a violation of the individual's right to his life and thereby a violation of human rights.

2. Further, inflicting capital punishment has not demonstrated that there is a reduction in crime or related activities.

3. If a wrong verdict is given and an innocent person gets executed then there is no way of undoing that gross injustice.

4. Further, it has been observed that capital punishment is biased in its approach as people are punished due to racial bias/ religious bias/ poor strata of society and many such factors.

In the light of both these approaches, one can assess that neither is completely holistic in its presentation. The retributive- retentionist approach is fraught with difficulties as it allows certain behaviour or treatments of human beings (criminals) to be morally permissible. They do argue that there are multiple layers of due process and it is unlikely that an innocent person will be executed, yet they have not been able to demonstrate that death penalty is superior.

The abolitionists- consequentialist have to demonstrate that other forms of punishment are more efficacious as compared to death penalty. These arguments have to be rationally constituted and also need to be backed by evidential support.

At the end all we can conclude is neither argument can fully support its position and we may have to assess the cases on ethical grounds.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Should death penalty be abolished? State your views.

2. Explain the abolitionist and retentionist positions.

9.4 KEY WORDS

Capital punishment: Capital punishment or the death penalty is an institutionalised form of punishment that involves deliberately executing a person or persons for their alleged misconduct.

Consequentialist: Consequentialists believe that punishment is justified because it leads to consequences that are good for the society.

Retributivism: Retributivism argues that punishment is justified because it pays back the offender for breaking the law and is therefore, intrinsically good.

Retentionist: The retentionists rely on consequentialist and retributive approach to support their arguments for capital punishment.

Abolitionist: The abolitionist asserts that life imprisonment is more effective than death penalty.

9.5 LET US SUM UP

Thus, in this unit we have looked at the topic of capital punishment or death penalty briefly. We have seen its historical origins from the times of the Babylonians till date. Further the various approaches that have centred around it.

9.6 FURTHER READINGS AND REFERENCES

- Kant, Immanuel (ed.). *The Metaphysics of Morals*. Cambridge: Cambridge University Press, 1996.
- Tebbit, Mark. *The Philosophy of Law*. New York: Routledge, 2017.

9.7 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Capital punishment or the death penalty is an institutionalised form of punishment that involves deliberately executing a person or persons for their alleged misconduct. Capital punishment looks to justify that the person or persons have indulged in an act that warrants death by execution.

2. **Retributive Approach-** There are many versions of this approach but almost all agree on one point that the offence has been committed and it cannot go unpunished. For the retributivists, future results do not matter. Punishment according to them, is morally permissible because criminals deserve to be punished. The amount of punishment that is to be meted out must be in proportion to the seriousness of the crime committed. Thus, retributivism seems to operate on the principle, that giving people what they deserve is morally justified.

Consequentialist Approach makes the connection between crime and punishment a contingent one. This approach analyses capital punishment in view of the consequences or results it leads too. If the death penalty results in an increase of general happiness and promotes peace in society then it is justifiable. The consequentialist approach is often classified as forward looking as against the retributive approach which is considered to be backward looking

3. So, far as, capital punishment goes retributivism looks at the principle of *lex talionis* or *an eye for an eye*, an idea based on the biblical tradition. Within retributivism there are many versions that have interpreted this biblical notion differently. One chief philosopher who needs to be mentioned is, Immanuel Kant, who in the late 18th century argued in his *The Metaphysics of Morals* that the principle of *lex talionis* has to be employed when a murder has been committed.

Check Your Progress II

1 The student should answer this question as per his or her understanding of the matter.

2 Death penalty or capital punishment is one of the most controversial forms of punishment. In recent years the debate around it has resulted in those who are in favour of abolishing it and those who want to retain it. These two approaches are broadly divided into the retentionists and abolitionists.

The retentionists rely on consequentialist and retributive approach to support their arguments for capital punishment. The consequentialist claim is that death is a superior deterrent as compared to other available forms of punishment. The retributive argument is that death penalty is the only penalty severe enough to be appropriate compensation for the most heinous crimes.

The abolitionists on the other hand challenge both these arguments of the retentionists, by stating that there is insufficient evidence to demonstrate that death penalty or capital punishment acts as deterrent in preventing future acts of homicide. In fact, they assert that life imprisonment is more effective than death penalty. Another reason for questioning capital punishment is that it is racially biased and, targeted towards the socio-economically vulnerable group and also error prone.

UNIT 10 ANIMAL RIGHTS*

Structure

- 10.0 Objectives
 - 10.1 Introduction
 - 10.2 The Case against Animal Rights
 - 10.3 The Case for Animal Rights
 - 10.4 Preference Utilitarianism and Animal Rights
 - 10.5 The Rights View and Animal Rights
 - 10.6 Let us Sum Up
 - 10.7 Key Words
 - 10.8 Further Readings and References
 - 10.9 Answers to Check Your Progress
-

10.0 OBJECTIVES

The objective of this unit is to introduce you to the issue of animal rights. ‘Animal rights’ is one of the most debated issues in Applied Ethics and it has deep implication for human society. Going through the analysis of different aspects of animal rights, you shall be able to learn:

- the concept of animal rights in ethics
 - the traditional views on animal rights
 - the arguments in favor of animal rights
 - the moral theories/principles applied to consider animals
-

10.1 INTRODUCTION

‘Animal rights’ is one of the most debated issues in applied ethics in particular, and moral philosophy in general. ‘Animal rights’ in simple term refers to the rights of animals. However, in this context the term “animal” refers to the non-human animals. Animal rights would give non-human animals moral rights to be treated ethically by moral agents. Simply speaking, moral rights are the rights which are accepted on certain moral principles. Moral rights, according to H.J. McCloskey, are moral entitlements that grant moral liberties on their possessors to do, demand, enjoy, have, and so on, depending on the nature and basis of the

* Mr. Ikbal Hussain Ahmed, Assistant Professor, Teaching and Learning Centre, Tezpur University.

right; and they are moral entitlements that typically but not always impose moral constraints on others, such as abstention from various actions and activities, or doing, assisting, providing services and facilities, and so on, depending on the nature and basis of the right. Moral rights are sometimes characterized as a specific type of moral consideration used to justify restraint or interference with others, or to protest against such interference with oneself. In case of animal rights, one can assume that it will mean our obligation towards animals, obligation to restrain ourselves from killing or abusing animals. If animals are morally significant beings, then they could enjoy at least basic rights if not the non-basic rights like autonomy.

But do people recognize animals as morally significant beings? In reality most of us don't do so. Every day we kill millions of animals for food, keeping millions of animal in inhumane conditions in what is called 'Factory Farming'. Besides, we abuse animals, testing drugs, and in various scientific experiments. We also kill animals as sport. In some cases, we unnecessarily inflict pain to animals. One common example is how street dogs are treated. People often kick, beat, throw stones, throw hot liquid etc. on dogs just for fun. Many enjoy crushing animals, with vehicles running down over them. Advocates of animal rights, as well those who do not support animal rights but argue for ethical treatment of animals, criticize such abuse of animals and they claim that animals are morally significant beings and the case for animals should be considered morally. But are they really morally significant beings? If yes, to what extent rights can be granted? Can they have rights equal to moral agents? What moral principle is applicable to consider animal rights? All these questions need to be answered to understand animal rights and its implications. Granting rights to animals will have far reaching implications for human society. Because human society is dependent on the use of animals in multiple ways. Traditionally, humans have hardly recognized animals as morally significant beings. This is apparent from traditional religious and philosophical positions. Before discussing contemporary arguments for animal rights lets briefly look at the traditional views.

10.2 THE CASE AGAINST ANIMAL RIGHTS: THE TRADITIONAL RELIGIOUS AND PHILOSOPHICAL VIEWS

Traditional religious and philosophical views can be largely categorized as anthropocentric. Anthropocentrism is the view that humans are the only morally significant beings or beings that can have moral rights. Major religions of both east and west don't grant any moral status to animals. Judaism, Christianity and Islam more openly support anthropocentrism. These

religions largely propagate that god has created everything on earth for benefit of men. However, these religions sometimes advise not to inflict unnecessary pain to the animals. Islam, for example, prohibits use of blunt objects for slaughtering animals for food as it may increase the suffering of the animal. On the other hand, Buddhism, Hinduism etc. propagates a theory of *ahimsa* (non-violence) and ask to treat all life forms with respect. However, this is also considered by many as anthropocentric, as these beliefs are entwined with theory of transmigration of soul and ultimately refers back to humans. Still these approaches are more favorable to consider the moral significance of animals. In case of Jainism, however, the practice of ahimsa clearly extends to animals. The vow of ahimsa in Jainism is the foundation of kindness to animals. All types of cruelty to animals and humans are considered violations against the vow of nonviolence. Jains denounced the common practice of animal sacrifice to the gods as evil many millennia ago. Keeping animals in captivity is generally prohibited, as is whipping, mutilating, or overloading them, as well as depriving them of necessary food and water. Domestic animals are exempt from the injunction to the extent that they may be roped or even whipped on rare occasions, but always gently and without rage. Thus, Jainism is far more considerate of animals in comparison to other religions, yet we cannot claim that animals are considered morally significant beings or animals have any rights within this faith. Traditional philosophers were also largely anthropocentric. Thomas Aquinas (1225-1274) believed in line with the Bible that God has given men dominion over irrational beings. Though he believed that both humans and non-humans have souls, the non-humans are lower in a hierarchy because they lack intelligence. His view entails that only humans are morally significant.

One of the prominent modern philosophers, Rene Descartes's (1596-1650) views go against moral consideration of animals. In his philosophy while humans have both body and soul, animals are regarded as having a body only, and they are merely organic machines. So, their pains are merely automated responses. Since animals do not have a mind they do not experience suffering. So, there is no question of moral consideration at all.

The famous German philosopher Immanuel Kant (1724-1804) expressed that only rational beings are ends in themselves, they are persons and non-rational beings are merely means to satisfy the need of the rational beings. In his book *Critique of Pure Reason*, he writes that animals like horses, dogs, beasts of prey and so forth are "things" that "can awaken in us inclination and even love" or sometimes "also fear" "but never respect," because respect is only for persons that animals are not.

This way, the major philosophical views were largely anthropocentric. The first serious attack on anthropocentric worldview came from Charles Darwin (1809-1882) who was a biologist. His theory of evolution established that humans and other animals have common ancestors and as such the difference between humans and other animals are not fundamental differences. His theory would later help contemporary philosophers to formulate moral principles inclusive of animals.

10.3 THE CASE FOR ANIMAL RIGHTS

The movement for the rights of animals started in the late 20th century as protests, against what is called as speciesism. According to some modern ethicists, the biggest challenge to animal rights is speciesism – a prejudice that allows an individual to prefer the interests of their fellow beings on the basis of merely species-membership, while depriving others that are not the member of their own species. Most of us don't even consider the plight of animals because we perceive human interest superior to animals, simply, because they do not belong to our species. The most vociferous critic of speciesism is the ethicist Peter Singer. He strongly advocates for moral consideration of animals on the basis of his theory of Utilitarianism. Tom Regan on the other hand is a strong advocate of animal rights. Both these philosophers' views are crucial to understand the arguments in favor of moral consideration of animals. However, there are critical differences between the two. Let us start our discussion with Peter Singer.

10.4 PREFERENCE UTILITARIANISM AND ANIMAL RIGHTS

Peter Singer in his books *Animal Liberation* and *Practical Ethics* develops what he calls a "Preference Utilitarian position" to settle some practical ethical problems, including the moral consideration of non-human animals. Singer's main emphasis is on the principle of equality and he tries to solve the issues relating to animals without any hue and cry for "rights." Singer uses two distinct notions in his utilitarianism while exploring the possibility of animal rights. The first is the principle of equality and the second is the concept of personhood.

According to Singer, equality in ethics stands for the "principle of equal consideration of interests." The essence of this principle is that we give equal importance in our moral considerations of like interests of all those affected by our moral actions, e.g., if the interests of a human being and a horse are equally affected by certain activities, we should give equal value to both. Because, there is no morally significant difference between the two: "an

interest is interest whoever's interest may be." While considering the interests of beings, it must be extended to all beings, beyond race, gender or species. By implication, non-human animals should be considered morally if their interests are also affected. But do they really have any interest? Singer states that animals have interests because they have the capacity to suffer and enjoy, and enjoyment is a pre-requisite for having interests. If the sufferings of a being are refused consideration, it will be morally unjustified. In this way, Singer puts "sentience" as the limit of moral consideration. He holds that we should judge an action on the basis of the amount of pain or pleasure it produces in the subject.

But the question is how far animals can enjoy this right to equality? As a utilitarian, Singer advocates the best possible balance of pleasure over pain. So, in a conflicting situation where we have to choose one among two or many when their interests collide, someone's interests will definitely get preference if his/her interests outweigh the interests of others. A common question arises here – whom shall we prefer between a human being and an animal? Singer says that being human or being animal does not matter here. What primarily matters is sentience. Exceptions are there, but that finally depends upon the utilitarian principle. Thus sometimes, self-consciousness may be given importance. The reason is that self-conscious beings have greater awareness of future and of what is happening and have different desires. However, if someone goes further to say now that a self-conscious creature will be always given moral importance, he is mistaken. Singer will not agree with this view. For him, "If the existence of self-consciousness does not affect the nature of the interests under comparison," its possessor might not get any privilege. Suppose "A" is a self-conscious being while "B" is not self-conscious. According to equality principle both should be considered equally because self-consciousness is not important in itself in case of right to equal consideration. "A" can get preference in the consideration only when its self-consciousness produces comparatively higher interest. According to Singer, "interests are interests, and ought to be given equal consideration whether they are the interests of human or non-human animals, self-conscious or non-self-conscious animals." Hence, it seems that sentience or self-consciousness matters only if it becomes the cause of greater interests. In Singer's ethics, "equality" is applied in a very broad sense inclusive of all sentient beings. Thus, all animals, which are sentient, are entitled to this right along with human beings. But do all animals possess the right to life – the right that is most important for any being's existence?

Although Singer is against all types of killing and is a stout advocate of vegetarianism, his utilitarian stand forces him to embrace a restricted theory of "right to life." Thus, he approves

the killing of some animals in unavoidable situation. But how can Singer do it without submitting to any arbitrary moral principle? Singer employs here the concept of person, and claims that only persons have a serious right to life. However, one can see a connection between this view and his account of equality. In the latter he has laid emphasis on self-consciousness as the ground of having preferable interests and it will be shown that self-consciousness is an important requirement of personhood in Singer's philosophy as well as others.

As we know, a person is regarded as a self-conscious rational being. According to Singer there is a connection between this mental state and right to life. In *Practical Ethics* he writes as follows:

A self-conscious being is aware of itself as a distinct entity with a past and a future. A being aware of itself in this way will be capable of having desires about its own future.... To take the lives is to thwart their desires for the future. Killing a snail or a day old infant does not thwart any desires of this kind, because snails and newborn infants are incapable of having such desires.

According to "Preference Utilitarianism," advocated by Singer, an action contrary to the preference of any being is wrong, "unless this preference is out-weighed by contrary preferences." Hence, killing a person is worse than killing some other beings, "since persons are highly future oriented in their preferences." Singer holds that the right to life means the right to continue existing, as a distinct entity over time. Since only persons have such desires, only they have such a "right to life."

Does any non-human animal have this right? Singer argues that some animals do have right to life as they are persons. He argues, if normal human beings are given special value in protecting their lives due to their personhood, animals who are persons should be given same value and should be protected. He also shows his antagonism towards giving special value to the lives of the members of our species above the members of other species. Because some members of our species may not be persons, while some members of others species may be persons. The moral worth consists in personhood, not in species membership. In Singer's view, therefore, "it seems that killing, say, a chimpanzee is worse than the killing of a human being who, because of a congenital intellectual disability, is not and never can be a person."

So far, the preceding discussions are concerned, it seems that Singer would restrict the right to life only to Chimpanzees, gorillas and dolphins. But Singer's view seems to cover much

more ground as he cites here the intriguing custom of deer hunters. It is said, according to the custom, if you see something moving in the bushes and you are not sure if it is a deer or a hunter, don't shoot. Here from this example, Singer draws the analogy that "since we are not sure which animal is person or not accurately", it is preferable to give "benefit of the doubt" and through this, dogs, pigs etc., and perhaps "all mammals" can be assumed to have the capacity of self-consciousness, and qualify as persons. And if they are persons, they have the right to life too. However, those animals who are conscious but not persons they too should be protected on utilitarian grounds of sentience.

As we have seen, in Singer's philosophy, all animals have right to equal consideration of interests, secondly, all persons – whether human or non-human – have the right to life. The scene seems to be a perfect one, at least in principle, if the conditions are accepted as laid down by Singer. But beside the issue of the challengeable association of the right to life only to persons, an important question is what results when any conflict arises between different individuals or groups regarding any of the two rights? This question is important because opponents of animal rights often talk about such conflicts – both real and hypothetical. We have to see – how animals are affected in these situations.

What is clear at this point is that there is a difference recognized between persons and non-persons. But Singer reiterates that in case of equal consideration personhood cannot be excuse for any discrimination. The principle of equal consideration of interest depends on the amount of pain or pleasure, not on personhood. But this does not mean that mental capacities make no sense at all. They do make sense, but in a different manner, according to Singer. Thus, mental capacities may trigger more pain in certain cases, while in other cases it may be otherwise. Singer illustrates it with an example. In some cases, normal human beings suffer more than others for their mental capacities. Suppose, some lethal experiments are performed on a normal human adult, after kidnapping him from a public place, say, a park. Other adults who enter the park definitely will be scared by this news and they will mentally suffer from this terror. The same experiment on an animal may not produce equal suffering in other animals. Personhood or, speaking specifically, the state of having higher mental capacities, is here a basis of relatively higher suffering and therefore they get preference. But sometimes, an animal may suffer more due to the lack of personhood or its relevant capacities. Singer gives another example here. Suppose, a group of people is taken as prisoners of war, where the intention is not to harm them, if it is explained to the group, the task can be done peacefully.

But in case of animals, it may not be possible to explain them while, say, shifting a group of animals to another place. As a result, they may try to escape and get more pain. Personhood therefore may be the cause both of comparatively more or less suffering. Here, personhood in principle does not necessarily stand for more moral worth, in a conflicting situation, unless it causes greater suffering which exalts an individual or a group to a higher stage in the ranking of their comparative moral importance. In general, in case of equal consideration, sentience seems to be more important than personhood. When an animal and a human have a comparable interest – the animal's interests (whether the animal is a person or not) deserves as much moral weight as the human's comparable interests.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is most significant Indian Philosophical school for consideration of animal rights?

2. Write a note on Peter Singer's utilitarianism and animal rights.

10.5 THE RIGHTS VIEW AND ANIMAL RIGHTS

The theory offered here is an alternative proposal against utilitarianism of Singer, and this view is known as the “rights theory” advocated by Tom Regan. Regan says that in utilitarianism, individuals – human or animal individuals – cannot have equal moral rights because their inherent value is not recognized there. He writes in “The Case for Animal Rights”:

Utilitarianism has no room for the equal moral rights of different individuals because it has no room for the equal inherent value or worth, what has value for the utilitarian is the satisfaction of an individual’s interests, not the individuals whose interests they are. A universe in which you satisfy your desire for water, food and warmth is, other things being equal, better than a universe in which these desires are frustrated. And the same is true in the case of an animal with similar desires. But neither you nor the animals have any value in your own right. Only your feelings do.

Regan explains the point by an analogy of a cup. A cup may contain different liquids, what is actually valued is what it contains, not the cup. “For the utilitarian you and I are like the cup: we have no value as individuals and thus no equal value. What has value is what goes into us, what we serve as receptacles for.” Another problem that Regan finds in utilitarianism is the problem of ends. As an “aggregative theory” utilitarianism approves even killing one individual for the best results: but for Regan, “A good end does not justify an evil means.”

Since these problems of any kinds of utilitarianism originate from the denial of inherent value, Regan bases his theory on inherent value itself. As we know, inherent value is opposite to instrumental value. The inherent value of something refers to its value which is based on its intrinsic properties rather than its usefulness to others. Inherent value is also understood to represent something as an end in itself. In any sense the concept of inherent value is said to be different from utilitarian considerations where inherent value has no importance. According to Regan, to have an inherent value is to have value as individuals by which an individual is something more than or something different from mere receptacles. By definition, he argues, “all those who have ‘inherent value’, all possess it equally.” So, all those have the right, at least, not to be treated as mere means.

According to Regan, all those who are the “experiencing subject of a life” have inherent value. The phrase “experiencing subject of a life,” in Regan’s views stands for an identity that is constituted by personhood. Thus, it should be conscious, autonomous, should have an idea of past and future and also sentience. These are the features of persons as we know.

Now, human beings with the above-mentioned features are said to have value and rights. Some animals who share these features, also, therefore, must have inherent value and rights. Because, to say that only humans have such value, is “blatant speciesism.” According to Regan, humans as well as animals have this value and they possess it equally. This inherent value is the basis of their rights.

Now the question: how far does Regan succeed in granting rights to animals? He advocates “inherent value,” or to use his analogy, he gives importance to the “cup” rather than to what it contains. But it can be shown that the same error can happen in the case of Regan, as it is said to happen in the case of a utilitarian like Peter Singer. Regan’s concept of “experiencing-subject-of-a life” refers to certain mental capacities which belong to a certain being, which also have the capacity to pleasure and pain. The classification of animals into person and non-person is based on certain features that are necessary to having experience in Regan’s terminology. This may satisfy his notion of inherent value but might be inconsistent with other views. One can argue that it is not even inherent value at all as it depends on evaluations to satisfy the notion of personhood. The value in that sense is not objective. When Regan is ascribing inherent value to those only with certain features but not to all individual animals, isn’t he giving importance to merely selective aspects of the “cup,” rather than the “cup” itself? So, Regan’s criticism of Utilitarianism brings back a challenge to himself too. Beside these criticisms, what is really problematic is that there is no scope of rights for a large number of animals as they would not qualify for “inherent value,” not having personhood in Regan’s sense. Regan’s theory of personhood thus, drives all animals out of moral considerations except “mammals” as they are the only “experiencing subject of a life.”

In the essay, “The case for Animal Rights,” Regan proceeds by accepting the distinction between moral agents and moral patients. Moral agents have responsibility for their deeds, while moral patients have not. Moral agents here refer conceivably to the normal adult humans. Regan also writes about two types of moral patients. Thus, the first types of moral patients are merely “conscious” and “sentient,” while others possess some additional “cognitive” and “volitional” abilities. According to Regan, human infants, young children and the mentally deranged humans of all ages are second type of moral patients. He also includes some animals within this type. He claims that the second type of moral patients and moral agents are “persons”; both moral agents and patients in the second sense have equal inherent value. Moral patients are affected by moral actions of moral agents.

This account confirms that some animals may be persons. But what appears important is that this notion of personhood might not necessarily work for animal rights. This can be clarified by taking two principles of Regan's ethics. Regarding conflicting situations, Regan applies two principles – "the mini-ride principle" and "the worse-off principle." According to the mini-ride principle, preference will be given to the interests of those who are more in number, other thing being equal. For example, if the rights of three persons, not to be harmed conflict with that of one, then the three will be preferred. In the worse off principle, when the harm of one group is more than the other, then, besides the number of affected individuals the "prima facie" harm should be preferred in moral considerations.

What is the significance of this position? What happens, in the above case, to the inherent value or personhood of someone in the "worse-off principle," or what happens to the inherent value of a "smaller group" whose interest is out-weighed in the "mini-ride-principle" by a larger group? He criticizes the utilitarian for counting the interests of a being rather than the being as such, but is not he doing the same thing here? Regan's position reveals that it is possible to curtail the rights of animals and even of human beings, undermining his/her inherent value or personhood. What works here as worthy is the comparable "harm" or "desire" or "preferences," not the individual as such or not even the "degrees of consciousness." This whole situation thus leads us towards an aggregative theory, which is not other than a consequentialist view. Even Regan's "Rights theory" cannot escape this situation and this proves that what ultimately matters is not personhood itself, but the intensity of the few products of its relevant features like "desire," "frustration" etc. in a particular case.

From our preceding discussions it appears that in case of animals rights there is not much agreement on what principle animals can be granted rights. It is also not very clear up to what extent the rights can be granted. If we accept personhood as a requirement for having rights then only few species of animals will be eligible for rights. Whether we apply Preference Utilitarianism or Rights view, there is always scope of giving priority to normal humans over animals in a conflicting situation. On the other hand, if sentience is accepted as the basis of rights, then almost all animals will have moral rights. In that case all sorts of use and abuse of non-human animals by humans will be morally wrong. Human moral agents will have no rights to treat animal as mere means for some other ends, even if the process is very humane, it will be always morally wrong to use animals for human interest. Some environmental

ethicists argue that if we accept rights of all sentient beings, then it will be an obligation of the moral agents to protect the rights of both prey and predators. So, whose rights should be given preference? According to Regan, the predators are not moral agents so they do not have moral obligation towards the prey. For human agents, non-interference is the strategy to follow as otherwise we would be violating the rights of predator animals to survive.

At present the animal rights activists are debating the best strategies to follow in order to change the traditional way we use animals. The opponents of animal rights also debate on philosophical and ethical points to consider against giving rights to animals. We need to consider both sides seriously to arrive at a correct decision that can be applied in daily life.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the main problem of utilitarianism of Peter Singer according to Tom Regan?.

2. What is inherent value? Do animals possess inherent value?

10.6 LET US SUM UP

Animal rights in simple term refers to the rights of animals. Animal rights would give non-human animals moral rights to be treated ethically by moral agents. Every day we are killing

millions of animals for food, keeping millions of animal in inhumane conditions in what is called 'Factory Farming', and abusing animals in many other ways. Advocates of animal rights, as well those who do not support animal rights but argue for ethical treatment of animals, criticize such abuse of animal and they claim that animals are morally significant beings and the case for animals should be considered morally.

We have seen that traditional religious and philosophical views can be largely categorized as anthropocentric, and they are opposed to animal rights. One of the prominent modern philosophers, Rene Descartes's (1596-1650) views go against moral consideration of animals. According to some modern ethicists, the biggest challenge to animal rights is speciesism – a prejudice that allows an individual to prefer the interests of his fellow beings on the basis of merely species-membership. Most of us don't even consider the plight of animals because we perceive human interest superior to animals, simply, because they do not belong to our species. Peter Singer and Tom Regan are two philosophers who argue in favor of moral consideration of animals.

Peter Singer in his books *Animal Liberation* and *Practical Ethics* explores the moral consideration of non-human animals. His main emphasis is on the principle of equality, and he tries to solve issues relating to animals without any hue and cry for "rights". He holds that we should judge an action on the amount of pain or pleasure it produces in the subject. Self-conscious beings have greater awareness of future and of what is happening and have different desires. According to equality principle, both should be considered equally because self-consciousness is not important in itself in case of right to equal consideration. In Singer's ethics, "equality" is applied in a very broad sense inclusive of all sentient beings.

Tom Regan says that in utilitarianism, individuals – human or animal individuals – cannot have equal moral rights because their inherent value is not recognized there. The inherent value of something refers to its value, which is based on its intrinsic properties rather than its usefulness to others. According to Regan, to have an inherent value is to have value as individuals by which an individual is something more than or something different from mere receptacles. By definition, he argues, "all those who have 'inherent value', all possess it equally". So, all those with inherent value should have the right, at least, not to be treated as mere means. Thus, animals have equal rights and cannot be treated as mere means. Tom Regan's view is known as Rights view.

In the case of animal rights there is not much agreement on what principle animals can be granted rights. The debate is still going and we need to consider the arguments from both the

camps – those who are in favor and those who are against animal rights – to find a correct answer.

10.7 KEY WORDS

Anthropocentrism: Anthropocentrism is a human-centered (or "anthropocentric") viewpoint. Anthropocentrism is a philosophical term that refers to the belief that humans are the sole or principal holders of moral status.

Inherent Value: The inherent value of something refers to its value which is based on its intrinsic properties rather than its usefulness to others

Moral Agent: A moral agent is a person who can make decisions based on what is right and wrong.

Morally Significant Beings: Beings who are proper subjects of the concern of moral agents.

Sentience: Sentience is the ability to feel and perceive emotions and sensations.

Speciesism: Speciesism is a prejudice that allows an individual to prefer the interests of his fellow beings on the basis of merely species-membership. The term was coined by Richard Ryder.

Utilitarianism: Utilitarianism is a set of normative ethical theories that recommend activities that maximize happiness and well-being for all people.

10.8 FURTHER READINGS AND REFERENCES

- David DeGrazia. *Animal Rights: A Very Short Introduction*. Oxford: Oxford University Press, 2002.
- Machan, Tibor R. "Do Animals Have Rights?" in James E. White (ed.), *Contemporary Moral Problems*. Belmont, CA: Wadsworth Pub. 2003, pp.509-515
- Regan, Tom. "Animal Rights, Human Wrongs" in Ruth Chadwick & Doris Schroeder (eds.), *Applied Ethics: Critical Concepts in Philosophy*, Vol. 4 (Environment). London: Routledge, 2002, pp.70-114.
- Regan, Tom. "The Case for Animal Rights" in James E. White (ed.), *Contemporary Moral Problems*. Belmont, CA: Wadsworth Pub. 2003, pp. 500-508.
- Scruton, Roger. *Animal Rights and Wrongs*. London: Demos, 1996, 3rd edition, London: Metro Books, 2000
- Singer, Peter. *Practical Ethics*. Cambridge: Cambridge University Press, 1993.
- Singer, Peter. *Animal Liberation*. New York: Harper Collins Publishers, 1975, First ECCO Paperback, 2002.

- Singer, Peter, (ed.). *In Defence of Animals: The Second Wave*. Malden: Blackwell Publishing, 2006.

10.9 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. The philosophy of Jainism seems to be most relevant Indian Philosophical School to consider animal rights. In case of Jainism, the practice of ahimsa clearly extends to animals. The vow of ahimsa in Jainism is the foundation of kindness to animals. All types of cruelty to animals and humans are considered violations against the vow of nonviolence. Jains denounced the common practice of animal sacrifice to the gods as evil many millennia ago. Keeping animals in captivity is generally prohibited, as is whipping, mutilating, or overloading them, as well as depriving them of necessary food and water. Domestic animals are exempt from the injunction to the extent that they may be roped or even whipped on rare occasions, but always gently and without rage. Thus Jainism is far more considerate animals in comparison to other religions yet we cannot that animals are considered morally significant beings or animals have any rights

2. Peter Singer's main emphasis is on the principle of equality and he tries to solve the issues relating to animals without any hue and cry for "rights". Singer uses two distinct notions in his utilitarianism while exploring the possibility of animal rights. According to Singer, equality in ethics stands for the "principle of equal consideration of interests". Someone's interests will definitely get preference if his/her interests outweigh the interests of others. Singer: "If the existence of self-consciousness does not affect the nature of the interests under comparison, its possessor might not get any privilege". According to Singer, interests are interests, and ought to be given equal consideration whether they are the interests of human or non-human animals. In Singer's ethics, "equality" is applied in a very broad sense inclusive of all sentient beings - that is, all animals which are sentient.

Check Your Progress II

1. According to Tom Regan, utilitarianism has no room for the equal moral rights of different individuals because it has no room for the equal inherent value or worth, what has value for the utilitarian is the satisfaction of an individual's interests, not the individuals whose interests they are.

2. According to Regan, to have an inherent value is to have value as individuals by which an individual is something more than or something different from mere receptacles. By

definition, he argues, "all those who have 'inherent value', all possess it equally. According to Regan, all those who are the "experiencing subject of a life" have inherent value. Now, human beings with the above-mentioned features are said to have value and rights. Some animals who share these features, also, therefore, must have inherent value and rights. According to Regan, humans as well as animals have this value and they possess it equally.





BPYG-171

Block 3

Introduction to Professional Ethics

Block Introduction

Block 3, “Introduction to Professional Ethics” aims to prepare ground for the discussion in the professional field. With the help of the four units this block talks about theoretical as well as practical issues in the field of professional ethics. With the introduction to professional ethics, this block takes some sub-domains of professional ethics, media and cyber ethics, medical ethics and business ethics to show the similar as well as different issues of some sub-domains of professional ethics.

Unit 11 “Introduction to Professional Ethics” tries to explain professionalism, professional ethics, need of being ethical in any profession and different aspects of professional ethics with the help of some examples and instances.

Unit 12 “Media and Cyber Ethics” attempts to explore and analyze ethical issues pertaining to the media; print, television as well as social media. This unit also attempts to explore some of the concerns of cyber-space, which arose after the development of information and communication technologies.

Unit 13 “Medical Ethics” is an attempt to understand ethical issues in the field of medicine and clinical practices. This unit also tries to create a platform for learners to understand the ethical values and norms in the medical field.

Unit 14 “Business Ethics” is an attempt to understand and analyze business ethics? This unit also presents an examination of the vital characteristics of business ethics and discusses unethical business practices with examples and how through codes of business ethics the companies could avoid them.

Thus this block gives learners a good exposition of ethical theories and its applications in the field of professional ethics.

UNIT 11: INTRODUCTION TO PROFESSIONAL ETHICS*

Structure

11.0 Objectives

11.1 Introduction

11.2 Professionalism and Professional ethics

11.3 Why Ethics matters in Profession

11.4 Some Issues

11.4.1 Data Breach

11.4.2 Ethical and Unethical Hacking

11.4.3 Corporate frauds

11.5 Let Us Sum Up

11.6 Key Words

11.7 Further Readings and References

11.8 Answers to Check Your Progress

11.0 OBJECTIVES

The objectives of this unit are as follows:

- To understand what is professional ethics.
- To explain what is professionalism.
- To understand the need of being ethical in any profession.

* Ms. Rinki Jadwani, Lecturer, Department of Humanities, Delhi Technological University, Delhi.

- To understand and analyze the role of ethical norms, rules and regulations, and how we can maximize the actualization of these codes of conduct to practical situations with the help of examples.

11.1 INTRODUCTION

Ethics is primarily concerned with what one ought to do, along with defining and analysing the concepts of right and wrong. When the setup of ethical norms and practices to consider an act right or wrong is made up on objective grounds, then it is usually considered that what is right, good, or bad for one person; would be right, good, or bad for everyone, irrespective of the conditions or context of any individual, culture, and society. The ideal ethical norms and principles that killing, telling lie, and cheating is wrong, that treating people as a mere means is not right, are applicable on everyone, they can be universalized, or they seek the happiness of maximum human beings. They are not usually confined to any given particular context or perspective. These objective grounds for determining what is good, right, and wrong might not work in some crucial situations where it becomes difficult to decide the rightness or wrongness of an action. Saying this, however, should not be seen as accepting the position of moral relativists, that our moral judgements, notions of truth-falsity, right-wrong are always dependent on context or perspective of a culture. What is right and acceptable in one cultural practice may not be acceptable in another culture. The possibility of accepting universal values would then become negligible. The problem arises when sometimes we find ourselves in such a situation where it becomes so difficult to take a decision in line with the fundamental ethical principles. Ethical dilemmas of real life situations involve much more layers of complexities which make it too hard to resolve these dilemmas based on any single conventional principle. Applied ethics deals with these real life situations where we try to find out the moral possibility/permissibility of specific acts. It seems to be an important requirement to consider the conditions and circumstances in which an action has been performed or about to be performed before taking any decision about the rightness or wrongness of that action. It demands to think and reflect upon the whole situation. The issues and debates of applied ethics demand a critical analysis, and an evaluation of our conventional moral principles. Morality should not be considered as a preachment and lessons to live an ideal life. Being an integral element of philosophy, there always remains a scope to reason, to think, to critically analyse and examine the customary and traditional set of principles, to question the eternal nature of these principles. This is how we move towards

the path of reflective morality in order to test the effectiveness of the established moral rules in a particular situation, whenever it is required. Reflective morality does not reject the conventional moral principles, it only helps in reaching to a better decision by presenting such an approach that either adds some novel element or subtracts the unnecessary element to resolve a particular issue.

Suppose, for example, a person who works as an accountant in a big private firm, his father gets seriously ill and has to be hospitalized. He requires bulk amount of money for his father's operation. His boss is very strict and he believes that if he would ask for money, his boss would never give him. That is why he took the money from company's account without informing his boss in order to save the life of his father. He saves his father's life, and gradually with time he kept all the money back into the accounts of the company. Now the question is how we would determine the rightness or wrongness of the act performed. The person was in an ethical dilemma, we all are know that stealing money cannot be said a morally right action, but at that time saving someone's life was the most important and primary act, the means he selected was obviously not a professionally right one, but he did it under unavoidable circumstances where he did not have any other available option for saving life of his father. Keeping the whole situation in mind we may ask what action his boss would take now, should he punish his employee for not informing him, or for not taking permission before taking the money? The answer could not simply be given in affirmative or negative terms as it requires reflecting upon the criticality of the whole situation. In situations like these the need arises to think in a different direction and it also requires careful, critical examination of the customary moral principles.

Based on the varieties of concepts and nature of the problem, ethics is being sub-divided in some main approaches like normative ethics, metaethics, and applied ethics. Professional ethics comes under applied ethics wherein we attempt to resolve the realistic issues such as conflict of interests in a profession, doctor-patient relationship, surrogacy, abortion, environmental issues, suicide, euthanasia, capital punishment etc. with the help of ethical principles. Professional ethics falls into the domain of applied ethics because it is concerned with rules, regulations, and norms to be followed in any profession, and these rules ultimately falls back on the concept of what is good, right, and appropriate.

11.2 PROFESSIONALISM AND PROFESSIONAL ETHICS

The term professionalism stands for the way one performs his/her actions in a profession. This way may include a bundle of things in itself, the practices, the standards, the values, skills, education, and training. Professionalism requires mastery over the theoretical knowledge, but only theoretical competence is not enough, a professional should be able to implement the theory into practice.

Professional ethics, as the name suggests, defines and codifies certain ethical norms necessary for all professions. We find codes of conduct and the codes of ethics in professions. The codes of conduct may vary according to different professions, e.g. engineers will be having different codes of conducts from those of medical associations, but we will find same guiding moral principles in every profession. These moral principles govern the behaviour of a professional in ethical decision-making, specifically in a situation of ethical dilemmas. An organisation/institution/company is committed to certain values and it includes ethical responsibilities of a profession. Transparency, impartialness, openness, and loyalty are few desirable characteristic traits of a professional.*

Let us take one example which highlights the unprofessional behaviour of a company. Some cases of raid and arrest of call centers employees were registered in a country. The charge was that the employees used to extort money from foreign nationals. A large amount of money has been taken away from citizens of other countries by these call centers. These call centers appointed young people for this work, trained them to speak foreign language. These employees used to call people of other countries, threaten them and force them to pay millions of dollars. Despite continuous complaints, no action was taken against these fraudulent call centers. Firstly, these types of acts lead us to think how young generation can easily be provoked by the call centers to involve in these unlawful activities only to gain large amount of money by keeping all the values of honesty, dignity and respect aside. Secondly the unprofessional attitude of the call center put down the reputation and image of all other call centers of that country as well, and thirdly the inaction and unprofessionalism showed at the level of the country also affects the relation of two countries.

These unethical acts always involve a risk - risk of losing the job, risk of being caught and arrested, and risk of losing self-respect. Despite being aware of the risk factors involved in these unethical acts, what is the guiding factor that encourages people to perform these kinds of acts, why money-factor, the accumulation of money for personal gains stands over and

*Subramanian. R. *Professional Ethics includes Human Values*, Oxford University Press, 2017. P. 9.

above all moral values and the respect for one's own and other's life? Undoubtedly these offers may seem tempting at first sight, but neither the intention of doing these acts nor can the outcome be said to be good or right for anyone involved in the act. These kinds of cases are a matter of concern for everyone, these incidents usually come and go without much attention of people as if we come across these cases daily and we are habitual and used to hearing these incidents as bits of information only. The problem is much deeper than it seems to be, one should not take these issues very lightly and ignore them. If these incidents often happen, it does not mean that more frequency of their occurrences reduces the gravity of the issue, how can it make the issue ignorable? On the other hand, the gravity of the issue must be increased when all the moral values, laws, rules, and codes of conduct fail to stop or at least reduce the frequency of these illegal acts, and lead us all to think on reasons of failure to control such actions.

11.3 WHY ETHICS MATTERS IN PROFESSION?

A Profession always stands in relation to the other, a professional always seeks for good professional relations, a bonding with the other is required for the survival, and progress of a profession, for example bonding between patient and doctor, between a lawyer and his/her client. What is the nature of this bonding, what binds a professional with the other? To maintain this professional relation, we devise certain rules. There are certain codes of conduct and codes of ethics in every workplace. In a workplace, the nature of codes of conduct depends on the type of institution/organization, and they may vary from profession to profession. The codes of conduct are not morally binding in nature, codes of conduct in a profession state kind of actions that are either permitted or prohibited for a professional, these actions are directional in nature; codes of ethics, on the other hand, are statements of value, or guiding principles needed to guide the behaviour of the professionals. The canvas of the codes of ethics is much broader than the codes of conduct. Codes of ethics are the guiding principles that guide professionals to work with honesty, without discrimination, and they are aimed towards public good. These codes of ethics help an organization resolve the situations of ethical dilemma and in decision making; in issues like conflict of interests, safety, and harassment in a workplace. The moral values in all professions are of the same nature, but the decision that is taken in a particular situation in different professions would depend on considering the context, complexities and nitty-gritty of that situation. In medical profession, the ultimate objective of a doctor is to save the life of the patient. But doctors do transcend

and think beyond this highest goal in the cases of Euthanasia, where we see a conflict of moral values, of saving life of patient, or to release all the pain and sufferings of the patient. The conflict of values gives rise to ethical dilemmas. The understanding of the need and importance of these ethical principles gradually broadens with the broadening of our canvas of understanding, development of our cognitive faculty of thinking and reflecting. This developing stage is the one where one can question the need, use and benefits of a particular norm for an individual, for a society or for a profession.

The question that becomes difficult to answer is that despite having all the mandatory rules and necessary ethical codes, why we meet up with unethical conduct in professional set up of any company/organization/institution. Every profession demands that work must be done with honesty and integrity, that is the reason certain norms become necessary to be maintained and followed for good governance, for smooth functioning of the profession at the level of the organization as a whole and also at the level of their employees as individual human beings. Every organization should adhere to some norms, codes of conduct, and set of guidelines to regulate the organization in a proper manner and evaluate the conduct of their employees. The formation of rules and codes of conduct consist of multiple layers, various aspectual elements. These multiple layers may include:

- The organization should work for the welfare of the society, thus any act that is not acceptable in the society would be prohibited by the organization.
- The formation of rules should also take into account zero or lesser amount of harm to the environment by any kind of activity.
- The formation of rules should not go against the good of their employees.
- The respect and dignity of each individual who is using the service of any organization should be the top most priority of all professions.

The unethical behaviour in any profession results when the above said conditions will not be met, that is, when it would cause harm to the environment, to the society, to the users, to the employees; and by bypassing all these above mentioned goals, if the organization would contemplate only in making personal profits. Thus certain sets of codes and principles are required in order to distinguish between right and wrong, to establish the values and goals of an organization. We will discuss some issues in the next section that can be termed as

unprofessional practices that are impediments for the development of an individual, of a profession, of the society, and of the nation as well.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you understand by 'Professionalism and Professional Ethics'?

2. What is the role of reflective morality in Applied Ethics?

11.4 CASE STUDIES

11.4.1 Data Breach

We are living in multiple worlds, one is the actual world which is out there for us, and another is the world of virtual reality which we have created for ourselves. In a virtual world, users provide all their information in order to avail the services provided by a particular platform. The moment we allow that platform to access all the information which is needed before login, it means that we trust that platform to be genuine. Along with the benefits we get from availing their services, our privacy always remains at risk. Despite the promises every company makes with the users, we experience the problem of data breach. What should be the ethical obligations and legal responsibilities to prevent these incidents and make the network more and more strong and secure?

The breach of data is, we can say, the breach of trust. All companies make a bond with their users by promising to provide values like accountability, cooperation, privacy and trust. We often come across the news of data breach; various companies, industries, and organizations suffer from the breach of data. Despite claims of providing the service with all these values, what causes the failure of all these values? The moral duty and responsibility in any profession demands the appropriateness of rules which is equivalent to their strict liability, but the problem is, we often experience a gap between what is being written as standard norms; and what is being followed on practical grounds. Talks about liability and accountability then seem redundant. The breach of data may happen in various ways. Some of these are:

- Making private information public.
- Leaking of information like email addresses, and phone numbers.
- Hackers hack the computer network, the system with the help of malware in order to get access to confidential information.

One weak point that makes it easier for the hackers to leak the data can be said the lack of knowledge of the users. The users allow access without knowing the cons of it, as a consequence they risk their privacy and security. But, even if the users remain at the vulnerable position due to lack of information; industries/organizations/companies must have the moral responsibility to take precautionary steps to keep the data of the user safe. The behaviour of companies has always been reactionary rather than precautionary. As a reaction the companies only inform their consumers about such incidents of breach, and that too can be delayed. Hacking is an illegal act. There are no set standards for these unethical issues in the cyber world which a professional ought to follow. There are only some guidelines that were created in 1992 as the ten commandments of computer ethics; but those do not match with today's scenario because these are quite vague in nature.

WikiLeaks is one such organization that has been known to release the documents to unveil many illegal acts. It has become a medium for many people to express their voices and uncover the questionable acts of the governments. However the sources from which these documents are obtained has always been in question.

Let us take one example of data breach here. The data of millions of users of several countries was leaked from a social networking site. This data included personal information of users like contact numbers, user id, date of birth, information of workplace and email addresses as well. All the data was published by a hacking forum on the dark web. The company denied that no such action is performed from our end, the data was old and already available publicly on the site so the data was scraped from there only. This data can be misused to make fraud calls, send spam emails, for phishing, and in many other kinds of frauds. Once again as a reaction, only after the data was leaked the company said that we will try to strengthen our security systems. The question is why no precautionary measures were taken by such a huge social networking site? Why the security was so weak that risked privacy of the users, as a result it made people lose their trust in that one particular company and made people skeptical in using other similar networking sites as well.

11.4.2 Ethical and Unethical Hacking

Ethical hacking is conducted in order to check the security of the computer systems. It is conducted by experts of the company. The aim of ethical hacking is to improve the level of security and access the vulnerability of the computer systems. Ethical hacking becomes a necessary exercise to keep the computer systems free of malwares by suggesting improvements and increasing security time to time.

Illegal or unethical hacking is not conducted with the permission of the company. The purpose of this hacking is to steal information and data. One cannot deny that both kinds of hacking require expertise in terms of the knowledge, in illegal hacking the hackers misuse their knowledge to perform a criminal act. This unethical hacking can be done for personal gains, or just for fun, to see the communication of people, to disclose the communication of other people; or one can do it for business, stealing and selling the data.

11.4.3 Corporate Frauds

This example is related to the corporate world. Corporate frauds are unethical acts performed by the company or any employee of the company. Let us suppose a fraud is done by a corporate company of computer service. The founder of this company creates several bank statements to inflate the profits and revenue that did not exist. This process of showing fake profits lasts for nine years. This fraud case also includes creating fake customers accounts to show the profits. The founder of the company maintains the record of fake employees and

withdraw large amount of money in the name of salary of the employees that did not exist at all, and the number of these fake employees are in thousands. The benefit of all this is shown in the increase in share prices of the company. This kind of fraud is an example of a big scam in the corporate world that can be termed an ethical crisis. As an effect it will badly affect the share market and audit firms. It also serves as a warning to the investors who invest money in any company without investigating much about the company.

These kinds of scam are clear example of conspiracy, forgery, and breach of trust that puts a question mark on the whole ethics of professionalism. It will also raise question on the disastrous system of accounting and accounting norms of a country. The increasing numbers of such frauds highlights the application of ethical codes and values and make us think again and again about our blind dependency on such professions. These crimes not only damage the image of the company but put down the image of the country as well. However government understands his responsibility and plays his role as it takes some strict actions to control such big frauds by introducing acts like Companies act in which strict rules are introduced to govern the corporate companies.

The concept of corporate social responsibility (CSR) is devised for business. This term mainly refers to the policies that make business more accountable and more responsible towards the society about the moral responsibility in any business. CSR makes a company work in the direction of enhancement of the society and environment. It is a concerned effort of companies to set moral standards. Companies implement the policies and practices created under CSR in order to influence the world in a positive manner and set a good image of the company. We can observe the impact of CSR in multi-directions. Various companies do think about improving the environment sustainability by taking steps such as implementing renewable energy resources, minimizing or eradicating child labor because it gives rise to unethical practices.

It is not to deny that in every profession, and in the corporate world we find certain set of norms and principles to run the profession smoothly and free of any obstacle. These codes of conduct can be traced back to the amalgamation of the fundamental principles of ethics which are named as the utilitarian principle of Mill and Bentham, or the non-consequentialism or deontological ethics of Immanuel Kant, or the virtue based ethics of Aristotle. The codes of conduct based on these principles generally include the following statements:

- One should always keep public good in mind.
- One should not use the knowledge and expertise to any kind of illegal gains.
- One should be courageous enough to fight against the corrupt elements in the system.
- One should be acquainted with the rights of a professional and should be able to exercise those rights.
- One should work for the betterment of the company and of the society on the larger level.*

All these codes are devised keeping in mind the concepts of honesty, loyalty, thinking of maximizing the betterment for all, to do the right thing and avoid the wrong, raising voice against the wrong acts. The crucial question is why there still exists a huge gap between what is conceptually accepted in all professions and what is practically implied. Why the adherence of virtues like truth, honesty, courage, temperance, modesty, righteousness, patience has become so difficult in our life? Where does the fault lies, in the individual, or in the structure of the society that the society trains every individual in such a way that everyone thinks only about his/her own benefits at the cost of harming other human beings, animals and environment. Why human beings have become so incapable of thinking over and above their personal gains? Why we are moving towards a human-centric, individual-centric world day by day, without any concern for the future generations, and for other species. We may always claim that there is no harm in thinking about and to act for personal gains that is how we will be able to secure the future of our next generations, but it can never allow us to use improper, illegal or unethical means to achieve those gains. It should not be exercised at the cost of harming others, or cheating others, or by doing any other act which cannot be called right on the ethical grounds; and which is not acceptable in the society.

Our ethical conducts are based on the values we acquire from different sources. In recent times a kind of decay has been observed in the value system of the society, we see many instances in our daily life where the declining of values can be observed clearly, e.g. not respecting elders, not following rules, and careless behaviour etc. That is the reason why more emphasis is being given on imparting value education as an essential element to students in schools and colleges because it has become the need of time. The nature of this

* Subramanian. R. (2017). Professional Ethics includes Human Values, Oxford University Press. P. 230.

value education should not be static, it should be dynamic enough so that it can give the freedom to think about other possibilities as well.

Whenever we talk about any ethical principle, we always speak in terms of the relation between self and the other. The very domain of ethics, the ethical space cannot exist in isolation. The notions of duty, right, responsibility all presuppose the notion of other because all these notions lie in the ethical space where without the idea of relation these terms will become meaningless. This other can be a human being, a group of people, any organization/company, or any other species or environment. The relation is obvious in any sub-category of ethics; professional ethics, too, functions on the notion of the relation between self and the other otherwise it will make no sense to talk about ethics in profession or in any other domain of ethics.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the difference between Ethical and Unethical hacking?

2. What is the role of the relation of self and the other in professional ethics?

11.5 LET US SUM UP

Professional ethics is an essential element for every profession. It provides certain codes of conduct for proper functioning of a profession. Apart from learning skills and acquiring practical training, ethical behaviour is equally necessary in every profession. Ethics in any profession is important in order to prevent the society from unethical and illegal activities like data breach and corporate frauds. The ethical codes and rules help a profession maintain a healthy image and this good image strengthens the profession. The ethical codes are based on the conventional ethical principles but the domain of applied ethics makes us think on these principles in a new way when we deal with any issue related to applied ethics. Different issues of different domains of applied ethics demand to think critically and reflectively considering the whole situation. Apart from reflective thinking on the problem, the codes of conduct of professional ethics will be actualized only after we will be able to understand the relatedness of self with the other. An ethical agent will always demand a coherent relation of self and other.

11.6 KEY WORDS

Professionalism: It is defined as the way one performs actions in profession. It includes practices, standards, values, skills, education, and training.

Professional Ethics: Professional ethics depicts and codifies certain ethical norms necessary for a specific profession. These norms may vary according to the type of profession, for example engineers possess different set of codes of conducts from those of medical associations.

Data Breach: When a company or any employee of the company attempts to leak the information and tries to make that information of the user of that company public then it is called breach of data.

11.7 FURTHER READINGS AND REFERENCES

- Kultgen, John, (1988). *Ethics and Professionalism*. Philadelphia: University of Pennsylvania Press.
- Naagarazan, RS. (2006). *A Textbook on Professional Ethics and Human Values*. Delhi: New Age International Publishers.

- Rachels, James (2007). *The Elements of Moral Philosophy*. The McGraw Hill Companies, US.
- Subramanian. R. (2017). *Professional Ethics Includes Human Values*. Oxford University Press.

Weblink

- <https://iep.utm.edu/ap-ethic/#H1>

11.8 ANSWERS TO CHECK YOUR PROGRESS

Check your progress I

1. The term professionalism stands for the way one performs actions in a profession. This way may include a bundle of things in itself, the practices, the standards, the values, skills, education, and training. A carpenter possesses good skills to do his job, but he has not taken any professional training to become a carpenter, so carpentry will be called a trade and not a profession. Professionalism requires mastery over the theoretical knowledge, but having only theoretical competence is not enough, a professional should be able to implement the theory into practice. Professional ethics codifies certain ethical norms necessary for a specific profession. These norms may vary according to different professions, like engineers will be having different codes of conducts from those of medical associations. We can say that more or less these norms are aimed towards the welfare of the common people, and the society.
2. Reflective morality does not deny principles of conventional morality but the ethical dilemmas of real life situations involve much more layers of complexities that make it too hard to resolve these dilemmas based on any single conventional principle. Applied ethics deals with these real life situations where we try to find out the moral permissibility of specific acts. It seems to be an important requirement to consider the conditions and circumstances in which an action has been performed or about to be performed before taking any decision about the rightness or wrongness of that action. It demands to think and reflect upon the whole situation. The issues and debates of applied ethics every time demand a critical analysis, and evaluation of our conventional moral principles. Being an integral element of philosophy, there always

remains a scope to reason, to think, to critically analyse and examine the customary and traditional set of principles, to question the eternal nature of these principles. This is how we move towards the path of reflective morality in order to test the effectiveness of the established moral rules, whenever it is required. Reflective morality only helps by presenting a better approach by adding some novel element or by subtracting the unnecessary element to resolve a particular issue.

Answer to check your progress II

1. Ethical hacking is conducted in order to check the security of the computer systems. It is conducted by experts of the company. The aim of ethical hacking is to improve the level of security and access the vulnerability of the computer systems. The purpose of it is to suggest improvement in the system and to increase the level of security. Unethical hacking is not conducted with the permission of the company. The purpose of this hacking is to steal information and data. This unethical hacking can be done for personal gains, or just for fun, to see the communication of people, to disclose the communication of other people; or one can do it for business, stealing and selling the data.
2. Any ethical principle or any sub-domain of ethics presupposes the relation between self and the other. The very sphere of ethics, the ethical space cannot exist in isolation. The notions of duty, right, responsibility all presuppose the notion of other because all these notions lie in the ethical space wherein without the idea of relation these terms will become meaningless. The codes of professional ethics will also become empty without considering this relation, transparency in work, work for the welfare of the organization, for the welfare of the society, all these includes the notion of other. This other can be a human being, a group of people, any organization/company, or any other species or environment.

UNIT 12 MEDIA AND CYBER ETHICS*

Structure

12.0 Objective

12.1 Introduction

12.2 Ethical issues in Media and Cyberspace

12.3 Ethical Issues in Print Media

12.4 Ethical Issues in Electronic (television) Media

12.5 Ethical Issues in Cyberspace

12.6 Media, Justice and Society

12.7 Freedom of Press, Censorship and Laws

12.8 Let Us Sum up

12.9 Key Words

12.10 Further Readings and References

12.11 Answers to Check Your Progress

12.0 OBJECTIVES

This unit attempts to,

- explore all the fundamental ethical issues and debates pertaining to the media.
- explore the emerging concerns of cyber-space, which arose after the development of information and communication technologies (ICTs).

12.1 INTRODUCTION

* Mr. Mohammad Irshad, Assistant Professor, Department of Philosophy, Indraprastha College for Women, University of Delhi.

The term 'Media' has always been considered in a broader context and conceptual landscape. It includes newspapers, television, advertising, radio, telephone, magazine and internet. (Unit has considered the concept of 'media' in a far broader context instead of confining it to the conventional understanding of media.) Media is a major source to generate, sustain and disseminate information and knowledge, hence, it is conceived as a vital instrument to inform and educate people. It is a substantial epistemic unit of knowledge. It, therefore, has to play a critical function. It must neither peddle the propaganda nor work as a publicity machinery for government and corporate organisations. Humans, historically, have had started from print media, due to the upsurge of technological age, a unique and peculiar kind of media in the form of cyber and digital media came into effect. Quite recently in human history, we are considerably exposed to the abundance of information at an accelerating pace. It empirically becomes explicit; media has taken a leap into the digital world, which fundamentally differs from traditional print and electronic media. Digital media disseminates information more rapidly than any other forms of earlier media developed so far. It is easily accessible, cost-friendly and substantially reduces the distance of the world. It has changed the notion of space and time.

Media, irrefutably, has become a major and dominating source of our information. It, however, cannot be beyond ethical questioning. We must develop certain codes, principles, and rules to steer it in the right direction to actualise its real function of promoting accurate information to advance well-being in the society. It demands ethical investigation to bring authenticity, transparency and accountability. This chapter partly explores the nature and theories of media; however, it mainly caters to the normative accounts of media.

Media plays a key function of making people informed so that they can make more sound and rational decisions. Media persons shall not be neutral all the time, because sometimes an idea and opinion is innately irrational and rudimentary, therefore deserve to be ignored and rejected. Role of the media is not limited to just presenting the facts without locating them in a context to meaningfully inform people. Graham (1998, p. 162) argues "the purpose of serious news reports in the newspapers and on radio and television is not merely to recount what has happened, but to report events in a way that uncovers and explains their political, social and cultural significance."

Media has largely been discussed in the libertarian framework as a fourth pillar of democracy. It has certain liberties and justified duties to perform. Liberal framework in the

media aspires to hold the government accountable by substantially diminishing the intervention of government in all walks of life. More so, it does not allow the government to exercise authority to curtail the rights of people. Therefore, it speaks for autonomy, integrity, freedom to express and people's right to know. Human dignity and integrity have always been known to be unabated universal ethical values in libertarian framework of the media.

Media ethics attempts to address the ethical concerns encountered in the entire process and functioning of the media. In sum, much of what is discussed within media ethics is a debate on the function of the press and how best it can achieve this (Berry, 2008, p. 77). It is relatively a new discipline and pertains to a normative account of media, rather than limiting it to a descriptive one.

Media ethics is an applied area of ethics. Hence, we must see the application of basic ethical principles in practice. Being an applied discipline, it has huge social responsibility towards the society's welfare and well-being. There are a range of thinkers and ethicists, who have significantly pondered pressing ethical concerns in the media.

We as philosophers are in the pursuit of knowledge and wisdom. Ancient Greek philosopher Socrates (470 – 399 B.C.) brought ethics at the centre of human conduct. That was a remarkable shift from the natural philosophy of the pre-Socratic philosophers. For him, how to live a good, meaningful and worthy life was the major philosophical concern. Same concern could also be extended to the space of media, to understand what is required to advance the just and meaningful media. It is not the mere existence of the media is admired rather the values driven media is revered in any enlightened society.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is media ethics?

12.2 ETHICS OF MEDIA AND CYBERSPACE

Media ethics is a vast subject of study. From choosing a topic for journalistic endeavour to production of news to sharing/dissemination of news involves some pressing ethical concerns. Media people/communicators have to deal with the ethical concerns at every stage of content generation/story. Recently mass media has become a highly admired profession; therefore, the pertinent issues encountered by the media professionals invariably vary in nature. Incorporation of ethics in the entire functioning of media professionals can further advance authenticity, truthfulness, transparency and integrity. Media ethics is vital to give moral judgement about what piece of information is to be shared and or not. Merrill (1999, p. 5) says “Media ethics is a branch of philosophy seeking to help journalists and other media people determine how to behave in their work. In its practical application, it is very much a normative science of conduct, with conduct considered primarily self-determined, rational, and voluntary.”

On the other hand, Cyber ethics covers a wide range of issues that includes copyright, financial frauds, spam, patent protection, digital identities, digital self, online piracy, cyber theft, cyber threats, anonymity, explicit pornography, hate speech and getting the material downloaded from some unregistered sites bypassing the owner of the content. Oxford philosopher Luciano Floridi persuasively identifies the ethical problem of ‘entropy’ in the entire information sphere/infosphere. Information sphere is equivalent to cyberspace.

Kieran (1998, p. 3) argues “Whenever we are offered information, whether by newspapers, television, the Internet or any other source, we have no option but to use our everyday intelligence to assess it for reliability. This applies as much to a depiction as to a word or written text.”

12.3 ETHICAL ISSUES IN PRINT MEDIA

Print media conventionally known to be one of the most strongest and reliable means of communication. However, this may not remain true to this information age. Economic prospects in the media may stop authenticity and truth from becoming the main driver of its

functioning. Journalists who write the stories have to be transparent, objective and unbiased as professionals. They must take permission before getting the details of a person published in a story, exempting the cases of exposing corruption, duplicity and fraud.

Most of the journalists in print media to develop fresh and original stories/news do rely heavily on 'sources' whether the individuals, politicians, social activists, bureaucrats, lawyers, corporate leaders, office staff and many others personal reliable individuals to receive the knowledge. A considerable distance, nonetheless, must always be maintained from them to not let your stories be deflected by your emotional and friendly bond with them. Failure to do so may result in compromise on truth, honesty, impartiality and public interest, which are known as indubitable values of the media. It is important to produce a story, which in turn, empowers people and imparts right information to establish a well informed and knowledgeable society. Integrity and privacy of the other person must not be compromised during the generation and publication of a story to avoid tabloidization and sensational stories. Journalist ethics shall not permit them to present opinions and fictional stories under the garb of news.

The process of deciding to do a story, selecting what will be used, and expressing this material all impinge on ethics and affect the moral character of the media person (Merrill, 1999, p. 1). Print media has an active social role to play to provide truthful and authentic news. Mere existence of the media will not produce any good and meaning for us, as long as ethical standards are not exhibited in its practice. Ideological bias can stop the journalistic values like honesty and truth from taking the lead in the media.

Journalists have to fairly ask inconvenient questions to eliminate the social evils like caste system, religion, gender and sex based discrimination at every level, even within the institution of media. They shall not distort and misreport the fact intentionally; it may lead to disturbance and severe communal tension in the society. For example: A fake news by distorting facts and figures is promoted by person A belonging to a certain religion X, hurling abuses and dishonouring the other religion, however the fact of the matter is, Person A was drunk, broken and under the influence of alcohol and drugs behaving immorally, not intentionally. He was not in a normal and rational state of mind.

Responsibility of the ethical media is to present the news of person A by informing all the relevant facts about the concerned news, by ignoring the later part of Person A's story and

highlighting the fact that Person A was abusing the other religion X. Hiding of all relevant facts in a story/news can result in severe negative consequences for the society, it may most likely trigger tension and disharmony. This would be considered a case of unethical reporting in the print media.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What key issues are to be ethically taken care of by the journalists in any story of print media?

12.4 ETHICAL ISSUES IN ELECTRONIC (TELEVISION) MEDIA

Other than print media, people do heavily rely upon the electronic media to receive information about regional, state, national and international affairs. News travels faster in electronic media, whereas in print the medium speed of news is relatively slower. Electronic media could effectively reach out to those people who cannot read and write; therefore, spread as a more impactful medium of mass communication. Its audio-visual nature could cement it as a major tool to reach out to ordinary people. It, however, also brought considerable bias and manipulation of content, which partly resulted into the propaganda machinery for government, bureaucracy, and big business houses. People started to question its transparency and commitment to the larger cause of society. Corporate and big industrialists have seen a huge market in the media sector. As a result they have invested huge money to capitalise the noble field of journalism to develop it into a profit making industry. A moral trait is not innate and natural in humans as considered by Greek philosopher Aristotle. He effectively argued humans are capable of developing moral attitude

with constant habit of doing it rightly. If media does not deviate from the true ethical principles for a longer time, more often as a result, values would get easily be internalised in its organisational structure.

What is to be covered, broadcasted and illustrated through audio-visual graphics is a central part of major ethical concerns in electronic media. Electronic media also covers a great deal of ethical issues such as obscenity, vulgarity, casteism, racism, hate-mongering, explicit pornography, secrecy, privacy and homophobia. Sensationalism with the help of graphics can stop the true, authentic and meaningful stories from coming into existence. This, severely, undermines the people's right to know the truth.

Journalists are meant to provide the true information and to keep check on the political, social and economic structure of the society. They must always refrain from slandering people without trial because of their tilted ideological bias and favouritism. They have a huge responsibility of being the true conscience of the society to advance a just and egalitarian society. They are not legislators, executives and judicial authorities. If they resort to such activities, they can be termed as unethical.

Biased information telecasted by electronic media reached the masses, as a result an individual's integrity, modesty and privacy has to be extremely compromised. Such acts of media are counted unethical and unjust, hence, to be disapproved. Media must refrain from 'fake news' generation to gain monetary and political benefits with ulterior motives to please corporate giants and owner of media, who aspire to generate maximum monetary outcomes at the cost of truthful and transparent media.

A credible and responsible media does not deliver judgement before verifying and confirming the facts authentically as long as these are attested by official and credible record. Psychiatrists and media personnel can keep the secrecy of their 'sources' of information. However, in the democratic setup the media should not hide information to safeguard the government by violating the public's interest. Hacking, though widely regarded unethical, is also used as an ethical measure to expose the unjust practices. For example, in the early first decade of 21st century, founder of Wikileaks Julian Assange started to expose and reveal hidden information of public interest related politicians, big businesses and the government across the world, notably; it was used as a tool of activism to bring transparency, a large section of the media considered it ethical. Had Wikileaks exposed the personal data of

citizens by undermining the ‘right to privacy’ of people, it would have been naturally considered immoral for leaking the private information.

As the large part of the world, at the policy level, is shifting from socialist and welfare states to capitalist states. At the outset, we can’t afford to completely dismiss the introduction of corporate led media, the point is to convert it into value based and people centric media. Initially, there was no effective regulatory framework to make the media more accountable. Due to regular misuse, people are demanding to generate a more robust legal and ethical framework for media.

12.4.1 Political Agenda and Paid News

Political propaganda and paid news are telecasted without much clarification to gain the monetary benefits and to deceive the audience. This is done by politicians to win elections by manipulating the content, big business to establish the good reputation of the product, private companies to give false hope to people. It is subtly done and carried forward as news. Elections are the best times to manipulate the consent of people by presenting news in support of a particular party, its leaders and policies by projecting it as authentic and truthful news. It is done at the cost of the media's integrity and revered ‘fourth estate’ of any democracy. Advancement of such practices has a severe adverse impact on the health of the society and democracy in general. It conceals the true information from people and stops them from forming sound opinions about a particular subject, party and policy. Consumption of the tilted news will make the society weaker and hollow.

It becomes more problematic in a society where a large section of the people is unable to read and write. They believe ‘paid news’ to be as they lack the intellectual capacity to identify obnoxious and tilted news. On the contrary, in a society where more people are educated, there is a far greater chance that people may be able to locate the fake news to a considerable extent. An aware civil society can only be assumed where the majority of people are educated and learned, in such a setup, fake news and paid news will not flourish and circulation would be comparatively lesser. A pioneer of philosophy of technology, Andrew Feenberg (1999) argues for the democratisation of technology. ICTs generated cyberspace must be democratised to actually serve the cause of the people and to incorporate the diversity in the entire gleaming architecture of media. As McNair (1998, p. 49) puts it, “free from the gaze of

electronic media, politicians and other élite groups could pursue their business relatively free from journalistic intrusion.”

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What kinds of major ethical issues to be followed in electronic media? Explain

12.5 ETHICAL ISSUES IN CYBERSPACE

In the technology driven age, the quantity of information has been piled up in the information society/infosphere. Discussion pertaining to the issues of quality and health of information has been side-lined to a great extent. Not long ago, cyber space in an earlier growing phase had offered space for conversation and meaningful information sharing; mere growth of the internet with minimal normative codes generated the scope for business enterprises to make hefty money that, in turn, started to pollute the quality of content. We have been exposed to more content/information in the entire human history. Quality of content, however, has been considerably compromised in cyberspace.

The Internet has become the major driver of our lives. It has become an intrinsic part of our quotidian existence and impacts our reception of news, music, sports, groceries, meeting places, paying of bills, relationships, travel tickets. Google Maps has been incorporated to find out ways and destinations as an extra reliable mechanism. Everything could be done by sitting at home without going into the physical world. Digital cyber space has secured its separate existence. Lessig (2006, p. 83) maintains “Cyberspace, by contrast, is not just about making life easier. It is about making life different, or perhaps better. It is about making a different (or second) life. It evokes, or calls to life, ways of interacting that were not possible before.”

Digital shift of the world has immensely altered the world. A galaxy of thinkers attempted to characterise and interpret newly emerged paradigm by giving different names such as ‘Consumer Society’, ‘Surveillance Society’, ‘Networked Society’, ‘Technological Society’, ‘Information Society’, ‘Post-Industrial Society’, ‘Media Age’, ‘Cyber Society’, ‘Knowledge Society’, ‘Borderless Society’ and ‘Post-Capitalist society.’ We can pragmatically decide to choose any appropriate word to refer to the new society.

Cyberspace transcends the physical boundaries. It carries a trans-national character and changed the traditional understanding of space and time. For example, #BlackLivesMatter movement received global attention and people started to express solidarity with the movement in different parts of the world with the help of cyberspace. A regional issue of racial discrimination can become an international issue with the power of new digital media. A government, despite having some legislation, can't limit an issue to a local level anymore to protect its fake image, practices and policies. Cyberspace, to a great degree, promotes transparency and global response to end innately evil and discriminatory practices, which was a major missing point even in the heyday of print and electronic media. This naturally generates the scope for global ethical principles in cyberspace due to irrelevance of regional and multi-national ethical conducts. But, the internet's potential ethical threat can't be completely undermined. All the nations must collectively work to develop some ethical regulations and codes for the advancement of cyberspace. It can no longer be addressed by countries separately.

Our focus is to understand ethical issues of cyber society/age. Ethics is about our moral conduct and behaviour in real life to flourish the well-being of each other in the society. We must extend this to cyber space to understand the ethical underpinnings of the same. In cyberspace hacking, piracy, copyright is unethical as these negative values snatch away the right of the owner to use and market the content, she has decided herself to utilise. A notable ethical philosopher of cyberspace Lawrence Lessig (2006) has identified law, code, norms and market as four major factors to develop the ethical discourse of cyberspace.

In a restructured state of current media, according to Shakuntala Das (2011) “local” will remain the defining feature of global ethical principle, she uses the term “glocal” as an epistemic category to understate the new world order and nature of the media. Global and local are not contradictory rather complementary to each other in new space. Global space of

media must be socially responsible to foster integrity, human dignity, impartiality, and respect to culture as a unit, non-violence and truth.

In cyberspace, the issue of misinformation, disinformation and fake news has emerged as a serious subject that needs to be discussed and reflected. The rampant misuse to tarnish the image of an individual, group of individuals, community, sect and institution has become a severely crucial subject in cyber-ethics. Hate speech, trolling, bullying, threats, anonymous identities, and provocation of violence are felicitated in cyberspace. 'Net Neutrality' and 'accessibility' of cyber space to all is a primitive requirement to the growth of a just and egalitarian society.

Spinello (2021) argues that net's code supports and protects a highly libertarian ethos that gives primacy to the individual speaker/user. Despite the fact that an individual is the central point of libertarianism, it shall not promote violence, hate speech and child pornography. A selective approach shall not be adopted to target people during the execution and implementation of the laws; otherwise the whole purpose of ethical codes and conducts becomes hollow and meaningless.

Freedom of speech shall not be weaponized to peddle unethical practices and corporate interest. A new trend is witnessed on various platforms of social media, under the garb of free speech people hurl abuses and use derogatory language against a person, group, community, caste, creed, culture and religion. This counts as the sheer misuse and misunderstanding of the free speech, this must certainly be penalised. It is only the legitimate criticism under the right to freedom of speech shall be justified within the boundaries of civility. Otherwise hate speech will soon be defined as a valid ethical practice and defined as an integral part of the freedom of speech. This will give rise to conflicts and uncivilised society based upon the traits of the barbaric and inhuman society.

Even online games which promotes violence as norm, discriminatory towards a sex, gender, community and country and projects them in a poor light shall be disallowed and dealt with a legal framework. Intellectual property rights and patents of anybody must not be honoured because they are the product of extensive intellectual labour, whether the original creation of a music piece, creative art works, books, articles and original ideas. It is the moral responsibility of users to give adequate respect and monetary benefits to owners of the content.

Check Your Progress IV

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Write a short note on key ethical principles of cyberspace.

12.6 MEDIA, JUSTICE AND SOCIETY

If the media is to be a part of the democratic process because of their role in the origination and circulation of information and opinion, then the quality of that information and opinion is going to be a vital issue (Belsey, 1998, p. 10).

In the global age of media we can't ignore the notion of justice from the discourse of media ethics. Philosopher John Rawls (1921–2002) says 'justice is the first virtue of social institutions.' Media is a social institution and justice must become the defining feature of media and cyberspace, this will allow media to emerge as an effective tool to transform the society. Fairness is the key component of justice. If a report is not fair in terms of facts and social truth then it will never serve the fairness principle of justice. Diversity at all stages of media must be maintained in terms of generating stories to include concerns and problems of the voiceless with more focus on marginal and vulnerable communities.

Whatever the differences of opinions within the broad scope of media ethics, all engage with liberalism, the idea of the fourth estate, and therefore the meaning of news and journalism and their relationship with democracy and society (Berry, 2008, p. 75). Communitarian approach in the media does argue that justice must be the central theme to keep society together. This approach promotes more harmony and peace, not individualistic greed of the people. This will nurture sound and lasting values of justice and peace in any democracy.

Check Your Progress V

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Could justice be eliminated from the discourse of Media ethics? Critically Evaluate

12.7 FREEDOM OF PRESS, CENSORSHIP AND LAWS

Freedom of press can't be considered as an absolute right if it puts the life and dignity of an individual at grave risk. Freedom comes with some responsibilities; it is not an absolute freedom. In any case, if it disturbs the people's safety and remains a threat to national security, then, in a fair way, partly censorship of the negative use of freedom of expression could be justified. Also if we honestly and fairly see it as an enabler and potential threat of disturbance, violence, violation of integrity and dignity of an individual, group and community, then it could be restricted, monitored and regulated. However, restriction shall not serve as a legitimate reason to curtail the genuine freedom of speech by citing the threat to national and public safety for gaining political benefits. Government must execute the laws impartially to serve them in the serious interest of the citizens, instead of misusing it against ordinary citizens, opposition, and civil rights activists to criminalize dissent and fair criticism. Indecency, vulgarity, profanity, obscenity and blasphemy must be forbidden in thoughtful free speech.

Press Council of India (2020) has given certain directions for the journalists to maintain accuracy and fairness by excluding paid news. Shakuntala put it (2008, p. 162) "the PCI code suggests that while freedom is key to ethical journalism, freedom alone cannot be a guarantor of responsible journalism and that a free press must function with restraint." Freedom of the media is to be exercised to promote social and public good. Social, political, and economic justice to uplift the oppressed section of the society must be a desired objective of the press. Freedom of press can't be indifferent to the principle of justice in organising affairs and practice.

Hutchins Commission (1947) had presented a remarkable report on *A Free and Responsible Press*, which is still referred to in the course of media for generating guiding principles of fair and ethical media. It advocated for social, political, economic responsibility and free inquiry. It was formed in the wake of World War II. Legal and ethical values are crucial for any civilised society. Dignity, reciprocity, equity and diversity must be guiding values required in the formation of laws and codes in media.

Check Your Progress VI

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Can 'freedom of expression' be considered an absolute right or not? Explain.

12.8 LET US SUM UP

It is a herculean task to provide any conclusive remarks about the codes and principles of the ethical structure of the media and cyberspace. Collective values, nonetheless, mentioned above could offer a more robust and divergent set of values to locate the ethics in the entire functioning of media to foster a just, impartial and egalitarian space of media and cyber world.

It could be easily be derived from the Unit that Race, caste, religion, gender, sex, and linguistic discrimination must not be given importance in the ethical framework of the media. To identify the distorted facts and fake news in cyberspace, independent fact checking websites are referred to. Adherence to discussed ethical values will certainly allow journalists/individuals in the media to truly honour the genuine cause of media, which is to inform and educate people with true and authentic information, so that they can make sound and rational decisions.

Without following ethical principles, most likely, a reliable and justifiable media will never come into existence and adversely harm the society. Despite having diverse frameworks of ethical values in media, there always remains enough scope to explore more and new frameworks and approaches to make the media and cyberspace sincerely ethical. Also the possibility for more sound and viable ethical principles, codes, rules and values in future can never be rejected, which can be incorporated in the discipline of media and cyber-ethics with great admiration.

12. 9 KEY WORDS

Media Ethics: Media ethics as a separate discipline, which attempts to develop ethical codes, rules, and principles for the advancement of truthful, impartial and value-based media.

Cyberspace: Cyberspace came into existence after the advancement of information and communication technologies (ICTs). Cyberspace could be known by various names such as digital space, information space, networked space etc.

Cyber-ethics: It aims at developing moral norms and standards for the digital/cyber space to generate a just and equal digital/cyber/information space.

12.10 FURTHER READINGS AND REFERENCES

- Belsey, A., (1998). Journalism and Ethics: Can They co-exist?. In M. Kieran (Ed.), *Media Ethics*, 1 – 14. London: Routledge.
- Berry, D., (2008). *Journalism, Ethics and Society*. England & USA: Ashgate Publishing Company.
- Feenberg, A., (1999). *Questioning Technology*. London: Routledge.
- Graham, G., (1998). Sex and Violence in Fact and Fiction. In M. Kieran (Ed.), *Media Ethics*, 152 – 164. London: Routledge.
- Lessig L., (2006). *Code*. New York: Basic Books.
- McNair, B., (1998). Journalism, Politics and Public Relations: An Ethical Appraisal. In M. Kieran (Ed.), *Media Ethics*, 49 – 65. London: Routledge.

- Merrill, J.C., (1999). Foundations for Media Ethics. In A. D. Gordon & J. M. Kittross (Eds.), *Controversies in Media Ethics*, 1 – 25. USA: Longman.
- Rao, S., (2011). Glocal Media Ethics. In R. S. Fortner & P. M. Facklar (Eds.), *The Handbook of Global Communication and Media Ethics*, 154 – 170. UK: Blackwell,
- Rao, S. & Wasserman, H. (Eds.), (2015). *Media Ethics and Justice in the Age of Globalisation*. UK: Palgrave Macmillan.
- Sanders, K., (2003). *Ethics & Journalism*. London: SAGE Publications.
- Spinello, R.A. (2021). *Cyberethics: Morality and Law in Cyberspace*. Burlington: Jones & Bartlett Learning.

12.11 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Media ethics is a broader subject. It aspires to evaluate the ethical functioning of the media. Ethics in media involved from the generation of news to dissemination of news. Media, being an important contributor to enhancing our information and knowledge, have some responsibilities; therefore some ethical standards are required to receive truthful and impartial news. It is an applied discipline; hence instead of elaborating on the conceptual nature of ethical codes, conducts and values, it is more devoted to practical significance and application of ethical theories in media. It further attempts to present a normative account of media, which can lay the ground for authentic, transparent and accountable media.

Check Your Progress II

1. Print media is one of the earliest forms of media. People still rely more on written words than electronic media and digital/cyber media. In print media, to become ethical, journalists must choose a relevant case/story, not an artificial one which may not be useful to people. Stories must be authentic and original. Journalists must refrain from distortion, misrepresentation and partiality while writing about the story/news. News must be impartial and truthful. All the used 'sources' for the generation of news must be verifiable and justified. News must be objective and transparent to present the true account of an event.

Check Your Progress III

1. In the electronic media issues related to false illustration of images, incorrect information, and distorted information are involved. Sometimes visuals are illusionary and journalists only present distorted visuals. It may have a negative impact on society. They could demean a person; race, sex, gender community and religion, therefore the content presented in the electronic media must more carefully be checked and executed.

Check Your Progress IV

1. There are a varied range of ethical issues in cyberspace. Some of them include intellectual property, piracy, hacking, copyright, misinformation, disinformation, fake news, patent, trolling, hate speech, digital divide and bullying. All forms of discriminations, accessibility and accountability in cyberspace are the essential parts and parcel of cyber-ethics discourse. Ethical issues are involved with the very design of technology which enabled the rise of cyberspace.

Check Your Progress V

1. Justice is the key part of social responsibility of the media. Ethics and justice are fundamentally connected with each other. Without justice and fairness, we can't honour the true cause and objective of the media, which is to bring the voice of neglected and vulnerable sections of the society into mainstream. If the media succeeds to actualise its objective by informing and educating people, it will inevitably help to develop a sustainable and just society.

Check Your Progress VI

1. Freedom of expression is a fundamental human value. Human beings are rational creatures; therefore, they always have opinions and ideas to share. They must be allowed to do so without any interruption. Though, it can't be absolute in order to sustain the society. Nobody shall be allowed to abuse and threaten the people by using freedom of expression as an instrument for negative purposes. Freedom must be given to express their honest, original ideas and to do legitimate criticism, but not at the cost of human dignity, integrity, community, gender, sect and religion. Recently a trend is witnessed across the world that governments misuse it to stop and punish dissenters in the society, who don't agree with

government's decisions and policies. Though, it is notable that freedom of expression can't be absolute and comes with certain necessary restrictions; this does not mean that rules are unjustly used to avoid criticism and questioning. Identification of intention in the freedom of expression is very crucial.



UNIT 13 MEDICAL ETHICS*

Structure

13.0 Objectives

13.1 Introduction

13.2 Important Approaches in Medical Ethics

13.3 Human Rights and Medical Ethics

13.4 Moral Values in Medical Ethics

13.5 Three Practical Cases in Medical Ethics

13.6 Conflicts among Moral Values

13.7 Let Us Sum Up

13.8 Key words

13.9 Further Readings and References

13.0 OBJECTIVES

The main objective of medical ethics is to provide ethical understandings to students in the field of medicine and clinical practices. Ethics deals with the right or wrong action in a particular circumstance by raising the question of “what should one do?” Medical ethics is a sub-discipline of ethics that helps the students to make the right decisions or choices within the limited field of medicine. Here, the main thing is to understand that ethics and its sub-disciplines start with the notion of the ‘other,’ and where the concept of “other-ness” comes, there would be questions of right and wrong. Thus, this subject creates a platform for students to understand the ethical values and norms in the medical field.

13.1 INTRODUCTION

* Ms. Vineeta, Doctoral Research Scholar, Department of Philosophy, University of Delhi.

Medical Ethics is a branch of applied ethics that deals with practical issues within the area of medicine and clinical practices. Medical research and clinical practices are integrated with ethics. Medical ethics is an important branch of medicine and clinical practices. As ethics plays a vital role in our day-to-day life. Every human being lives their life with their own choices and decisions. One always acts according to one's own choices and decisions. There is an interconnection between one's acts and choices. Ethics starts when human beings make choices and decisions to act. Thus, ethics deals with choices. Where there are no choices there is no role of ethics. There are some common questions that everybody thinks about such as: How can I live a good life? What is a way to live a good life? In a similar manner, medical ethics is a practical subject and also a branch of moral philosophy. Thus, Ethics is an integral part of medical ethics. It deals with those choices and decisions that are considered to act in the everyday medical practices. It is very clear that the purpose of ethics is not to decide what is right and wrong but to consider how we should act in a best manner in the light of our moral obligations and duties as a moral agent.

In addition, medical ethics and culture are connected to each other as different cultural values, and religious beliefs shape our decision-making capacity.

There are some best questions to understand the role of medical ethics in the healthcare domain. Firstly, what kind of relationship should be between a doctor and his patient? Secondly, how should we make decision about to end a life of a patient who is not able to make rational decision for own life? What would be the ethical role of family in making rational decision towards end-of -life issues?

13.2 IMPORTANT APPROACHES IN MEDICAL ETHICS

Ethics is not about applying a fixed set of rules in every ethical dilemma. In ethics, we can resolve ethical dilemmas only through understanding the nature of that problem. There are two important approaches that are applied in practical ethics, especially in resolving ethical dilemmas.

13.2.1 Utilitarianism

Utilitarianism is a traditional ethical theory that is advocated by two important philosophers of 18th & 19th century, Jeremy Bentham and John Stuart Mill. This approach is based on the consequences of action or decisions. In this case, the good consequences of an action may justify the means of an action. The morality of utilitarianism approach does not lie with means but for this approach an end matters. In this context, an action is right if it produces happiness for a greater number of people. In other words, it can be understood that this approach advocates happiness for greater people and opposes those actions that cause harm or unhappiness for larger people. This theory is based on three principles-

- 1) Only pleasure or happiness bears intrinsic value.
- 2) The criterion of rightness and wrongness of an action depends upon the result of an action. If an action promotes happiness, then it is right. On the other hand, if an action promotes unhappiness or pain, then it is wrong.
- 3) In this approach, everyone's happiness has equal value. It does not mean that one's happiness has more value than another one.

This approach can be understood in the healthcare through some examples.

13.2.2 Deontology

This approach is defined by great German philosopher in the 18th century, Immanuel Kant. To understand this theory in the simple terms is that there is a moral relation between agent's duties or obligation and person's good will and it is based on the certain duties or obligations. This approach claims that an end cannot justify the means. Whereas, a good decision (duties or obligations) is the only way to justify the end of an action. In this approach, ethical decisions are independent of the outcomes. There are three important maxims given by Kant:

- 1) The Formula of Universal Law: "Act only according with that maxim through which you at the same time will and that it should become universal law."
- 2) The Humanity Formula: "So act that you use humanity, as much in your own person as in the person of every other, always at the same time as an end and never merely as a means."
- 3) The Autonomy Principle: "A rational being must always regard himself as giving laws either as member or as sovereign in a kingdom of ends which is rendered possible by the freedom of will."

According to deontological theory, the rightness and wrongness of an action depend upon these three maxims. If an action satisfies these three maxims, then that action is morally right, if it does not satisfy then these three principles then it is morally wrong.

In medical ethics, these two approaches (utilitarianism and deontological) play an important role in the decision making. Kantian approach is very relevant in the medical ethics as we should respect autonomy and dignity of a person. Utilitarian approach is also important in the medical care because it gives us rational capacity to make decision for larger people or a whole society.

13.3 HUMAN RIGHTS AND MEDICAL ETHICS

The Universal Declaration of Human Rights, 1948, has defined the concept of “human rights”. “Human Rights are rights inherent to all human beings.” Being a member of homo-sapiens species, it means that all human beings have equal human rights. According to United Nation, the definition of “Human Rights includes the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education.” In the case of medical ethics, every doctor has a duty to protect the patient’s human rights and human dignity. Each code and laws of medical ethics are dependent upon the protection of human rights. In medical ethics, there is special protection for human rights and preservation of life. The concept of human rights is related to that every human being is born to be free and all human beings are equal. Every human being is equal to each other in order to that they have equal moral worth irrespective of their caste, sex, religion, and birth place. It does not mean that one human being has more moral worth than other one. The concept of human rights provides a universal ground for medical ethics to treat patients equally and fairly. Thus, it is very clear that medical ethics is interconnected with the concept of human rights.

13.4 MORAL VALUES IN MEDICAL ETHICS

The ethical and moral problem in medical ethics is generally analyzed and resolved on the basis of “four principles.”* Those are autonomy, beneficence, maleficence and justice. On the basis of these four principles any action in the field of medicine is judged and evaluated

* These are postulated by famous bioethicists Tom Beauchamp and James Childress in their textbook *Principles of Biomedical Ethics*.

ethically. These four principles play an important role to make one rationally and ethically aware about the clinical research and medicine. In this context, Tom Beauchamp and James F. Childress, claims that no one principle can be important without the other. It means that these principals are equally important in the medical ethics. Here, the term “equally important” refers that there is no hierarchy among these principles to resolve moral conflict in the medical field.

13.4.1 Autonomy

The term autonomy is derived from two terms i.e. auto (means self) and nomos (means rule). In this way, autonomy means self-rule. Be autonomous means an individual have the freedom to decide or choose about personal life. “Autonomy” is a very important value in the medical domain because it is person’s or patient’s freedom to decide what to do with his/her life or how he/she wants to live. For example: a patient is free to make decision herself about her life without external influences. But the opposite side can be possible, what about those patients who do not have rational capacity to take own decisions for one’s life. In this case, they cannot make autonomous decision but they will be treated to their best interests. In the simple term, it is said that patient’s consent is must if patient is able to make rational choice or decision for his own life.

13.4.2 Beneficence

The second principle of medical ethics focuses upon other’s welfare or well-being of others. The purpose of this principle in medical ethics is to serve the best interests for others. For an instance: a doctor should act in the manner that action will promote the well-being of a patient. In this context, Beauchamp and Childress claim that there are two kinds of beneficence, positive beneficence and utility. Positive beneficence means to promote benefits in the interests of others. Utility means to weight the benefits and harm in the interests of others. If the degree of benefit is more than the harm then this principle is applicable. Thus, it is the core value of medical ethics.

13.4.3 Non-maleficence

In simple terms, the meaning of this value can be understood that an action should be done in this manner if it cannot promote the well-being of others then that action should not harm for

others. For example, a doctor should treat his patient with the intention of not harming his patient. A doctor should understand the risks and benefits in the case of patient's treatment. Benefits should outweigh the risks.

1.4.4 Justice

This principle is very essential in various fields such as medical, political, social, etc. The main concern of this principle is the distribution of scarce health resources. In medical ethics, the aim of this principle is to create fairness in the society regarding medical and clinical facilities.

These four moral values help us to make rational and moral decisions in the medical fields such as euthanasia, patient-doctor relationship, surrogacy, and so on. Here, only three topics of medical ethics (euthanasia, patient-doctor relationship, and surrogacy) will be considered for explanations. These principles may conflict with each other. One principle may override the other one. For instance: In the case of a person lacking mental capacity or premature baby, the beneficence principle may override the principle of autonomy.

Check your progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is medical ethics and its role?

.....

.....

.....

.....

.....

2. Explain the basic four principles of medical ethics that are given by bioethicists Tom Beauchamp and James Childress.

13.5 THREE PRACTICAL CASES IN MEDICAL ETHICS

In this section, three cases of medical ethics (These are the burning issues of medical context.) will be elaborated to understand the application of moral values and ethical theories that professionals refer to resolve the ethical dilemmas or conflicts. There are some important sets of values that should be focused in medical ethics such as respect for human rights, autonomy, beneficence, maleficence, justice, consent, privacy and confidentiality.

13.5.1 Euthanasia

The term “euthanasia” is derived from the Greek *euthanatos* meaning good or easy death. Euthanasia is an act to terminate a person’s life, who suffer from an incurable or extremely painful disease, without possibility of alleviation. There are two types of euthanasia: active and passive. Active euthanasia is an act to take patient’s life deliberately or voluntarily through medical assistance. Passive euthanasia is not an act to take a patient’s life with medical assistance but to withdraw all medical support of a patient and allow him/her to die. In the case of active euthanasia, a patient is provided all medical support to make him/her death as easy as possible. On the other hand, passive euthanasia is about withdrawing all medical assistance of a patient and the consequences of it will be the death. For instance- 1) in active euthanasia, a patient will be given an injection of over dose pain-killers and the result of it will be the death of the patient. 2) Passive euthanasia is to withdraw the oxygen support of a patient who keeps alive with the help of oxygen machine. It is an act of omission or withdrawing the treatment. But the question is which euthanasia is more immoral? Religious or traditional people think that passive euthanasia is morally better than active euthanasia. Some people think that active euthanasia is much better than passive because of giving easy death to a patient.

There are other three categories of euthanasia such as voluntary, non-voluntary and involuntary. 1) **Voluntary euthanasia** involves the consent or wish of a patient to end his/her life. 2) **Non-Voluntary euthanasia** is a kind of euthanasia in which a patient is not able to give his consent such as when a person is in coma, a baby, or a mentally disturbed person. 3)

Involuntary euthanasia is a kind of euthanasia in which a patient wants to live but his/her life is terminated because of its worse situation. This issue is very debatable in bioethics. In some cases where a patient cannot give his consent then what would we say is it a murder or is it a beneficial act to give easy death to a patient? At what point could euthanasia be moral or immoral? The morality and immorality of euthanasia practice could be determined through various practices such as religion, cultural, moral values, law and scientific perspectives.

In some countries, it is legal such as Netherland. In other countries, it is illegal and immoral such as United Kingdom. There are some important questions on which we should reflect upon from the perspective of medical ethics. First, is it morally right to terminate the life of a patient who is suffering from unbearable pain and incurable disease without patient's consent? Second, on what basis would it be justifiable? Is there any difference between killing someone and letting someone die? Is it morally right to decide one's death? But what about those who do not have incurable and painful disease but they want to end their life? These all questions must be analyzed from the lenses of ethical theories and four moral values of medical ethics such as autonomy, beneficence, maleficence, and justice.

13.5.2 Doctor- Patient Relationship

The doctor-patient relationship is the central notion of medical ethics and healthcare issues. Medicine and the clinical research always depend upon the relationship of doctor and patient. Medicine and health care facilities are always meant for patients and medicine and health care facilities always work as a medium between doctor and patient relationship. A patient always must have confidence upon the doctor. All doctors should maintain **confidentiality** regarding their patients. Here, Confidentiality means doctor should protect the private information of a patient. Confidentiality is always based on loyalty and trust between a patient and a doctor. Any private information of a patient can be revealed only for the benefits of a patient if it is required for legal purpose. Medical ethics tries to resolve the moral disputes that arises from the relationship of doctor- patient relationship. In this relationship, the doctor's duty is to promote or improve the health of a patient. If the health care facilities and doctor's decisions are not able to promote the welfare (**i.e. beneficence principle**) of patient, then these all health care facilities and research will weaken the bond between doctor and patient. The decision of a doctor towards his/her patient should avoid the maleficence consequences. In this case, a doctor should act in a manner that patient will not

be harmed or patient's situation will not be worsened than before receiving the treatment (i.e. **Non- maleficence principle**). In the doctor-patient relationship, the application of last moral values i.e. justice is to promote the fairly distribution of scarce healthcare services among all patients. **Informed consent** is the central factor in ethical medical practices. The patient should be informed if there is any possibility of having risks during or after treatment. There should be an agreement between patient and doctor about the consequences of treatment that may create more problems for the patient. In this case, it is a patient's choice to go with that treatment or not. Because every patient has different choices and decisions about their health and life. Here, the principle "informed consent" refers to the respect for patient's **autonomy** and **human rights**.

13.5.3 Surrogacy

Surrogate Motherhood is a form of collaborative reproduction that typically involves three persons: a married infertile couple (the parents) and a surrogate mother. It is a fact that there are more heated views against commercial (money is involved) than non-commercial surrogacy (like as altruistic surrogacy). Some couples may take help this technique because for them pregnancy is dangerous or impossible from medical point of view. In some countries it is legal and in some countries it is illegal. Some ethical questions are raised regarding surrogacy such as commoditization of the child, affects the emotional attachment between the mother and the child, violate the natural process.

The roots of the many arguments depend on the harms that the practice is thought to produce. The methods of surrogacy harm women as well as child in various ways. These methods exploit vulnerable women who need money or who belong to poor family. In this case, a poor woman may become the victim of objectification by reducing them into 'women to fetal container,' 'womb for rent,' or 'reproductive machines.' There is possibility to create hierarchical divisions among women such as genetically superior women will beget embryos in vitro, strong bodied women will carry these "test-tube babies," and sweet tempered women will rear these newborns from infancy to adulthood. These divisions among women affect the inherent value of women, being an 'intended' mother or being a 'carried' mother or being a 'reared' mother and definitely will affect the child-mother relationship. Here, for example, a rich fertile woman uses another woman to undergo the risks and discomforts of pregnancy. Here, another question arises: Is it morally wrong to use another person as a 'means' to get a

child as the 'ends?' According to Deontological Approach in the medical ethics, rational human beings should be treated as 'ends' in themselves and not as a 'means' to something else. The fact that we are humans have equal inherent value in itself and equal human rights. In the case of commercial surrogacy, surrogate mothers are exploited and objectified. In India, commercial surrogacy is completely banned on the basis that a poor women is forced, and becomes the victim of objectification to earn money. Thus, commercial surrogacy seems the violation of human rights and autonomy of a surrogate mother as well as interference with nature.

13.6 CONFLICTS AMONG MORAL VALUES

There is a problem that sometimes one ethical principle or moral value cannot resolve an issue. The solution of the problem lies on the harmony among various principles of biomedical ethics. These principles play an important role in decision making to resolve the disputes of biomedical ethics. However, sometimes one moral value can come into conflict with other moral value. For instance, in the case of euthanasia, a patient's wish is to end the life. Here, a patient does not want to recover through treatment or medical help. On the other hand, a doctor wants to give treatment to patient with the intention of patient's welfare. Thus, there is a conflict between autonomy and beneficence. In this case, some societies prefer beneficence than autonomy. But, if we take the example of '*santhara*' (practice followed by Jainism) religious people may prioritize autonomy over beneficence. Thus, to resolve the conflict between moral principles also depends upon peoples' cultures, religions, and beliefs. Another important example to understand the conflict between two moral principles is commercial surrogacy. In India commercial surrogacy is banned because this practice is against the best interests (Beneficence) of a surrogate mother. Although a woman makes own decision or choice to be a surrogate mother. But, in this case, the principle of beneficence overrides the principle of autonomy. In third instance i.e. doctor-patient relationship, a doctor mostly prioritizes the autonomy of a patient over beneficence of a patient.

Thus, it is very difficult to follow a fixed set of rules in the medical ethics to resolve the situation. Various factors are to be considered to resolve ethical problems in the medical ethics such as respect for autonomy, beneficence, maleficence, justice, informed consent and confidentiality.

13.7 LET US SUM UP

Ethics is not about applying a fixed set of rules in every case. There is no fixed and single approach to resolve the ethical dilemmas of medical ethics. But ethics always follow a systematic approach to resolve ethical dilemmas. As in medical ethics, the doctor should respect the autonomy and dignity of the patient. Treatment should be just and fair. A patient should be informed clearly about his/her treatment. Clear understanding of moral values and principles are necessary to resolve ethical dilemmas such as utilitarianism, deontology, autonomy, informed consent, beneficence, maleficence, and justice. Religious and cultural views also play an important role in deciding how the moral problems can solve in medical ethics. A proper understanding of a culture is needed to resolve the ethical issues from that a person belongs. Thus, there is no perfect and single answer in the medical ethical. Here, the approach in the medical ethics is multi-facets and situational based.

Check your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Explain the understanding of Utilitarianism in medical ethics.

2. Explain the understanding of Deontology Theory in medical ethics.

3. “Medical ethics is not based on applying fixed set of rules but it is situational based”. Elaborate it with practical examples.

13.8 KEY WORDS

Santhara: This term is also known as *Samadhi-Marana* in the Jainism. It is the religious practice in which a Jain decides to end life voluntarily by reducing the intake of food and liquids and also not taking medical *treatment*.

13.9 FURTHER REFERENCES AND READINGS

- Ahmed, Furqaan. “Are Medical Ethics Universal or Culture Specific.” *World Journal of Gastrointestinal Pharmacology and Therapeutics*, 4(3): 47-48.
- Anderson, Elizabeth S. “Is Women’s Labor a Commodity?” *Philosophy and Public Affairs*, 19(1): 71-92.
- Beauchamp, Tom L. and James F. Childress. *Principle of Biomedical Ethics*. Oxford University Press, USA, 2001.
- Boylan, Michael. *Medical Ethics*. 2nd ed. Malden, Mass.: John Wiley & Sons, 2014.
- Driver, Julia. *Ethics: The fundamentals*. John Wiley&Sons, 2013.
- Keown, John, ed. *Euthanasia Examined: Ethical, Clinical and Legal Perspectives*. Cambridge University Press, 1997.
- Pervical, Thomas. *Medical Ethics*. Cambridge University Press, 2014.
- Tong Rosemarie. “The Overdue Death of a Feminist Chameleon: Taking a Stand on Surrogacy Arrangements.” *Journal of Philosophy* 21, 1990.
- UNESCO. Universal Declaration on Bioethics and Human Rights Archived 2017-10-10 at the Wayback Machine. Adopted by the UNESCO General Conference at Paris, 19 October 2005.

13.10 ANSWERS TO CHECK YOUR PROGRESS

Check your Progress I

1. Medical ethics is an applied branch of ethics that deals with the practical issues of clinical medicine and scientific research. Its main aim to examine and analyze the practical issues from ethical and moral perspective. As ethics plays a vital role in our day-to-day life. Every human being lives their life with their own choices and decisions. One always acts according to one's own choices and decisions. There is an interconnection between one's acts and choices. Ethics starts when human beings make choices and decisions to act. Thus, ethics deals with choices. Where there are no choices there is no role of ethics. Examples of practical issues in clinical medicine and scientific research are euthanasia, doctor-patient relationship, surrogacy etc.
2. There are four basic principles in bioethics that are generally applied by bioethicists to evaluate and examine the merits and demerits of medical procedure. Ideally, in medical practices, an action would be ethical if it follows all four basic principles: autonomy, justice, beneficence, and non-maleficence. Firstly, in clinical medicines "autonomy" means patient have freedom to make decision regarding health care. A Patient makes fully informed decision after having proper knowledge of risks and benefits of a medical procedure. No one can force and manipulate the patient. Secondly, "Beneficence" principle refers to any medical research or procedure should be for the welfare of society. It means a medical procedure would be ethical if it is beneficial for whole society not for personal benefits. Thirdly, "Non-Maleficence" principle refers to a procedure should be neutral if it is not beneficial at all. It should minimize the harm if it is beneficial for whole society or a patient. Fourthly, "Justice" principle refers to that every medical experiment or treatment must be distributed equally among all groups in society.

If any medical procedure or experiment follows the four principles then it would be ethical.

Check Your Progress II

1. There are two important ethical theories in medical ethics. One is utilitarianism and second one is Deontology. Utilitarianism is a traditional ethical theory that is advocated by two important philosophers of 18th & 19th century, Jeremy Bentham and John Stuart Mill. This approach is based on the consequences of action or decisions. In this case, the good consequences of an action may justify the means of an action.

The morality of utilitarianism approach does not lie with means but for this approach an end matters. Thus, from this perspective, a medical treatment or experiment would be ethical if the result of that experiment promotes happiness or pleasure.

2. Deontology theory is defined by great German philosopher in the 18th century, Immanuel Kant. To understand this theory in the simple terms is that there is a moral relation between agent's duties or obligation and person's good will and it is based on the certain duties or obligations. This approach claims that an end cannot justify the means. Whereas, a good decision (duties or obligations) is the only way to justify the end of an action. In this approach, ethical decisions are independent of the outcomes. In medical ethics, an action or a practice would be ethical from deontological perspective if it follows three maxims of Kant: i) The Universal Principle

ii) The Humanity Principle

iii) The Autonomy Principle

3. Ethics is not about applying a fixed set of rules in every case. There is no fixed and single approach to resolve the ethical dilemmas of medical ethics. But ethics always follow a systematic approach to resolve ethical dilemmas. As in medical ethics, the doctor should respect the autonomy and dignity of the patient. Treatment should be just and fair. A patient should be informed clearly about his/her treatment. Clear understanding of moral values and principles are necessary to resolve ethical dilemmas such as utilitarianism, deontology, autonomy, informed consent, beneficence, maleficence, and justice. Religious and cultural views also play an important role in deciding how the moral problems can solve in medical ethics. A proper understanding of a culture is needed to resolve the ethical issues from that a person belongs. Thus, there is no perfect and single answer in the medical ethical. Here, the approach in the medical ethics is multi-facets and situational based.

UNIT 14 BUSINESS ETHICS*

Structure

14.0 Objectives

14.1 Introduction

14.2 Definition of Business Ethics

14.3 Aspects of Business Ethics

14.4 Characteristics of Business Ethics

14.5 Significance of Business Ethics

14.6 Factors Influencing Business Ethics

14.7 Application of Ethical Theories: Deontology, Consequentialism, Virtue Ethics

14.8 Role of Corporate Social Responsibility

14.9 Let Us Sum Up

14.10 Key Words

14.11 Further Readings and References

14.12 Answers to Check Your Progress

14.0 OBJECTIVES

The objectives of this unit on Business Ethics are as follows:

- To understand and analyze what Business Ethics is.
- To examine the vital characteristics of Business ethics and ethical problems arising in a business organization.
- To discuss unethical business practices with examples and how through codes of business ethics the companies could avoid them.

* Ms. Deepti Sinha, Lecturer, Department of Humanities, Delhi Tehnological University, Delhi.

- To explain the nature, aspects and the growing importance of business ethics in today's economy.

14.1 INTRODUCTION

The term “ethics” has its roots in the word “ethos”, which means character. Ethics is a philosophical study of the codes of conduct which are believed to govern our actions. It has social acceptance which is said to evaluate the action as right or wrong. It is a critical reflection on what one does or why one does. When we talk about business, it is assumed that business is as old as human civilization and laws come into existence much later. Laws are basically formal codification of ethical conduct of the society. So, it is generally believed that the codes of ethics begin first when people began to live in groups. Thus, since beginning it may be said that the ethics continue to guide the mankind to follow the right path. Similarly the role of ethics has been a perpetual issue. Ethics plays a very crucial role and is an important aspect in how we do business. This is because ethical responsibilities in businesses helps us to understand and to establish rules, processes, practices and behaviors, that will be acceptable among employees, businessmen and management.

Ethics can be considered as a major concern for both large and small businesses because it is believed that an ethical code of conduct teaches the employees, businessmen about what is and what is not acceptable in a business. So here the role of business ethics will assist and guide in weighing the possible repercussion of our business actions and it will also educate us on how to draw moral distinctions and to resolve ethical dilemma(s).

Role of ethics has been gaining importance in recent times due to the growing size of businesses and due to the high impact and effect on the lives of millions of people. The aim and purpose of business is to earn profits and every business tries to maximize its profits. So here the ethical questions are: how much profit is to be earned and at what cost? What will be social impact of it? Will it be beneficial for the society? What are the importance ethical issues that we should keep in applying risk and benefit factor in a business? It is essential to keep in mind these questions because in a market place, beyond a certain point, one man's profit may result at the cost of loss to someone else. There are situations where there is a huge involvement of power, illegal practices in business to earn profit. At such times, the role of ethical code of conduct in business plays a very important role. A good responsible citizen

as a businessman is expected to limit his greed and not to involve in illegal or unethical practices which will harm the common people.

Let us take the example of two friends Raman and Satish. Raman and Satish are very good friends. They lived close by and studied in the same engineering college. They both started their IPO companies separately after doing jobs in MNC's for some years. In Raman's company, the IPO was heavily oversubscribed at the upper hand and if he wanted, he would have charged maximum amount from its subscribers. But in this situation, his management team decided to charge Rs.50 less than it could have. The company voluntarily decided not to take profit from its shareholders. But on the other hand, in Satish's company, the share prices were manipulated to almost twice its earlier prices and then sold at the maximum offering despite share prices have fallen at the time of actual allotment. Whatever Satish's management team did, can we ethical justify such act?

Here if we look at the contribution of Raman's Company towards society is really recommendable. Raman's company has no legal commitment to invest huge sums on esteemed centers like Hospitals, Institute of Social Sciences, and Fundamental Research Centres etc. But Raman does such noble work out of corporate ethics to support humanity and society.

In any business organization from top executive to bottom line employees, ethical conduct is very important. So it very important to make a balance between two things at the same time, that is high level of economic performance at one hand and to conduct ethical business at the other hand.

14.2 DEFINITION OF BUSINESS ETHICS

14.2.1 Business Ethics

There are different branches of applied ethics and business ethics is one of the important branches of applied ethics. Business ethics is a combination of two words-‘Ethics and Business’ which means application of ethics in business. It is the application of general ethical rules to business conduct and behavior. These are the rules of business by which business activities are judged. Business ethics is the organized applications of value in business and industry. Business ethics focuses on moral standard as they apply to business policies, institutions and behavior. It is the study of morally right or wrong action in business.

It states that business can make profits under ethical guidelines also. Today more and more interest and importance is being given to the application of ethical practices and ethical implications of business.

Business ethics is a kind of applied ethics that evaluates ethical principles and problems that arises in a business world. It is also called corporate ethics. Business ethics means to conduct business in order to give welfare to the society. So, it is the social and ethical responsibility that the businessmen must give a regular supply of good quality goods and services at reasonable prices to their consumers. It is important that they must avoid indulging in unfair trade practices like misleading advertisements, manipulating or fooling the consumers, black marketing etc. They must treat the workers or labors well and give fair wages and must provide good and a safe working condition. Any unfair means to earn profits must be avoided and they must pay all their taxes regularly to the government.

14.2.2 The three C's of Business ethics

A) Compliance: It include the following points:

- Moral Principles
- Laws
- Policies of the company

B) The Contribution: The following are the contribution that business should make towards the society:

- Quality of products/service
- Employment
- The core values
- Usefulness or utility of product

C) The Consequences of business activity:

- Social responsibility toward shareholders, bankers, employee and customers of organization.

- Good public image

Business ethics basically refer to the moral principles which are assumed to govern business activities. The purpose of business ethics is to lay down norms of behavior by the business. For example:

1. To charge fair prices from the customers.
2. To pay taxes to the government on time.
3. To give fair treatment to the workers.
4. To earn reasonable profits.

Business ethics has grabbed attention due to the many scams and illegal business practices that has been exposed in recent times. In business ethics unethical behavior is not acceptable at any cost. It is very important for the business entity to ensure safety for the consumers and be ethical in business practices. The following are the two examples which show the unethical conduct on the part of business entities:

Metallic Mobile Company: A renowned mobile company named “Metallic Mobile Company” launched LOGO phones in 2010, was sold widely all over the world. But due to the worldwide reports of battery failure, heating issues, phone catching fire, thousands of LOGO mobiles was replaced by new safe phone by Metallic Mobile Company causing huge embarrassment and economic loss to the company. But the new safe phones were again found to have same problems with many customers reporting fire in the replacement phones. Many countries banned on carrying the LOGO phones on planes in checked-in baggage and in the hand baggage. Unable to fix the problem in the phone, the Metallic Mobile Company had to completely stop the sale of the phone across the world. The report suggested that Metallic Mobile Company had to take the loss of about 3.9 billion dollars due to this. Due to this technological failure to ensure safety of the product resulted in economic loss, loss of faith of consumers in Metallic Mobile Company products.

Better-Ride Cars pollution fraud case: Many models of Better-Ride cars were sold all over the world where Better-Ride car company claimed low pollution levels of diesel cars. But later on the Environmental Protection Agency limited (EPAL) found that nearly 540,000 Better-Ride cars sold had special software that was intended to avoid pollution level detection. This software enabled diesel engines in these cars to detect when they are being

tested and to change the engine performance according to improve the test results. Later on Better-Ride Car Company admitted that they cheated pollution tests using this software. This case again resulted in loss of consumer faith and confidence. EPAL also fined the company and a case against Better-Ride Car Company was settled for a penalty of 20.6 billion dollars for the pollution fraud.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you mean by 'business ethics'?

2. What is the role of business ethics in the society?

14.3 ASPECTS OF BUSINESS ETHICS

Let us now discuss the two aspects of business: Corporate Governance and Financial Reporting.

14.3.1 Corporate Governance

It basically deals with how businesses are conducted. It is based on ethical policies that are an essential framework of a good, successful business. For example, Mr. Ashok, an honest officer, in public works department, after taking voluntary retirement started a company

named 'Business Ascent' and with his hard work and dedication his company emerged as one of the best managed companies in late 1990s. His company adopted a very good corporate governance practices and performed better than those of many other companies. His company had actually maintained a high degree of transparency while disclosing information to stakeholders and in 2005 'Business Ascent' had been awarded the "National Award for Excellence in Corporate Governance" by the government. Some features related to good corporate governance are as follows:

- All business activities and practices must be based on corporate social responsibility. Making profits in businesses must not be only objectives in any business. It is important that the corporate bodies must be aware of their responsibilities to the society. They must have basic concerns toward humanity. They have the responsibility towards public safety, public health and public welfare. Thus corporate governance must be concerned with major issues like health, human rights, environment etc, although they are not directly a part of business and they must contribute to sustainable development. This realization towards public good and environment is very important for doing good business.
- It is important for every corporate entity to formulate a code of ethics for ethical functioning of the organization. This must be known to all the clients, employees and stakeholders.
- Corporate governance must stand scrutiny in term of transparency in its dealings, business policies, plans and actions.
- Communication mechanisms and information must be available to all to the extent that it does not hamper business progress. This actually goes well with integrity of business practices and extracting unbiased loyalty from employees.
- The business must ensure principle of equity and justice to all those who are involved in business. This helps in promoting and enhancing dignity, credibility of corporate managements and groups.
- Corporate governance must always look for excellence and development through ethical conduct in this competitive world.

- Governing rules and regulations put forth by the government must be followed and respected by business entity. Any unethical conduct that will damage the image of business world and entity must be avoided at any cost.

14.3.1.1 Ethical Issues in Corporate Governance

Corporate governance is directly related and affects the market value and reputation of the company. So if the company has a poor governance policy, then it may result in reputational damage, loss of capital investment, fines to the organization. It is important that we avoid few common mistakes in corporate governance policies:

a) Insider Trading: Insider trading occurs when share are bought or sold on the basis of classified information. Insider trading is meant to buying or selling a security, on the basis of non-public information about the security. Insiders have an advantage over others investors in market in terms of knowledge, information, a privilege that they could take to gain profits in business. A lack of transparency in business activities may expose the company to penalties from regulatory governing agencies.

b) Over Boarding: The concept of ‘over boarding’ refers to director or executive who sits and works for multiple number of boards. This could lead to unrestricted time commitments and inability to fulfillment of their duties. Companies consider concerns about overcommitted directors and as a result policies must be adopted for limiting the number of boards on which their directors serve the organization.

14.3.2 Finance and Accounting

Ethics in accounting and finance practices is same as corporate governance. In accounting and finance practices also there are well formulated ethical rules and regulations. It comes into focus after scandal and scams related cases in IT and ITES Company. Let us consider fictitious examples related to scams and scandals: Swaraj Service limited, Jeevan-Kalyan Insurance loan scam. The Swaraj Service limited case showed a total failure where accounting malpractices was done to cover up the diversion of funds and embezzlement and profits was show where none existed. Such unethical practices in Swaraj case showed lacking of transparency in finance and accounting dealings. Jeevan-Kalyan loan scam is also another example where a lot of unethical practices like favoritism and bribery in financial dealings, disregard of rule of transparency by senior managers was reported.

The following are the important canons associated with finance and accounting practices:

- Businesses must follow the well laid-out norms for accounting practices.
- Transparency in accounting practice is important to follow and no attempt should be made to manipulate the accounts that will affect the financial health of the company.
- Business companies must follow well laid-out norms for reporting financial aspects during the annual general meeting (AGM).
- The expenses involved in businesses must be legitimate and there should be no fraud dealings that cannot be reported in the accounts.
- Financial audit has a great impact in the financial practices of company. It has a very crucial social responsibility as it give true information about the financial health of a company.

14.4 CHARACTERISTICS OF BUSINESS ETHICS

The following are the characteristics of business ethics:

Code of conduct: All businessmen must follow the code of conduct. It guide in telling what to do and what not to do for the welfare of the society.

Provides basic framework: Business ethics provides a basic framework for doing a successful business. It provides the social, cultural, economical and legal ground for conducting a business.

Based on social and moral values: Business ethics is based on social and moral values which includes self-control, consumer protection and welfare, integrity, service to society, fair treatment to social groups, no exploitation at workplace etc

Provide protection to social groups: Business ethics provides protection to social groups such as consumers, employees, small businessmen, government, stakeholders, shareholders etc.

Requires education and guidance: Education and guidance are necessary components in order to be acquainted with how to apply business ethics in their businesses. They must be aware of the advantages of business ethics.

Voluntary: Business ethics must be accepted and followed by the businessmen on their own. It must not be enforced by laws.

Respect for employees: It is very important that the owner of the organization must respect his employees. They must value their opinion, treat them with respect and make sure that their efforts are recognized and rewarded.

Relative term: Business ethics is a relative. It changes from one business to another business, from one country to another country, according to the need and requirement of the organization and business entity.

Integrity: Integrity in business organization is an important characteristic to perform regularly and for the healthy environment at workplace. This is because healthy competition is the start of success, management and delivery of good services to the public.

Society's Interests: The main motive of any business is to work toward the development and welfare of the society and public.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the importance of corporate governance in business world?

2. What are the essential characteristics of business ethics?

14.5 SIGNIFICANCE OF BUSINESS ETHICS

As it is clear from above the discussion that for a long term bases of businesses, the ethical ground is the very important. In fact many research finders have supported the famous saying:

“Good business ethics promotes good business”. Business ethics not only encourages professionals and professionalism in management but it also helps the businessmen in inculcating values in their lives and purify their inner self. The significance of business ethics are as follow:

A) Positive Consequences: Business with ethics always results in positive consequences. This is because when ethical conduct is followed in business then it build mutual trust, confidence in relationship, acceptance of rules and approval of the society.

B) Inner Satisfaction: In this world, every businessmen are seeking mental peace, self satisfaction, free from tension and anxiety. So it is believed that to attain mental satisfaction, only ethics can promote good business. It is also the social responsibility of the businessmen towards the society that they should not implement unethical conduct to earn profits in their businesses.

C) Goodwill of the Business Organization and Businessmen: Good ethical conduct will always promote the goodwill of both businesses as well as the businessmen. For a successful business, a good public image is important because once a business organization's image is blemished it direct affect the sales, profits, image of the business.

D) Success and Development: Ethical environment in business ultimately lead to the development and success of business. It is because the sincere hardwork and honest effort of a person make a person moral and help them to achieve success in their efforts in business.

E) New Management: New ethical principles are needed in new management for overall development and honor of the organization.

F) Encourage and motivate others: It motivates and encourages other businessmen also to follow the path of ethical conduct if some businessmen have earned profits by following ethical principle. It also set examples for others also.

14.6 FACTORS INFLUENCING ETHICAL DECISION MAKING IN BUSINESS

The following are the factors that influence the decisions in business:

- 1. Leadership:** The role of leaders towards the achievement of common goal is very important. Leaders are mentor and model that guide, influence and motivate others to work under ethical principles. It is necessary for leaders to set a good examples and ethics in their conduct because where there are good leaders there will be good ethical practices in business.
- 2. Sustainable Development:** An organization must use natural resources wisely and should be ethical in its utilization. So the principle of sustainable development must be followed for the protection of resources for future generations.
- 3. Corporate Culture:** It is a combination of set of values, beliefs, goals, norms that prevail within an organization.
- 4. Strategy and performance:** To motivate and integrate ethical code of conduct into the business strategy, certain questions are always given priority in business, like What do we stand for? What is our aim and objective? What values should we follow for the welfare of the society?

14.7 APPLICATION OF ETHICAL THEORIES: DEONTOLOGY, CONSEQUENTIALISM AND VIRTUE ETHICS

Let us first very briefly recapitulate these three ethical theories one by one, (which have already been discussed in unit 1).

14.7.1 Deontology

The term deontology is said to be derived from Greek word “deon”, which means duty to do the right thing. Charlie Dunbar Broad defined this term as duty or obligatory actions. This theory is credited to Immanuel Kant (also known as Kantian theory). According to him an action is right, if it is done in accordance with the cardinal principles. So here actions have to be performed according to the duties that are prescribed to be ethical. For Kant, we have

duties to ourselves, as we rational beings and autonomous beings. For example: duties to help others, duty not harm others, duty to develop our talents etc. This theory also states that the motive and intention of an action is important and consequences or result of an action is not important. According to Kant Moral duties are defines categorical imperative. They are the commands that we impose on us as a rational beings.

14.7.1.1 Categorical Imperative is based on 3 principles or maxims

Act in such a manner that we can also will at the same time that it becomes a universal law.

Act in such a way that you always treat humanity.

Act like a law-making member of a kingdom of ends.

14.7.2 Consequentialism

According to this ethical theory, the consequence of an action decides whether the action is right or not. If the consequence of an action produces happiness or intrinsic good then that action is considered as right and if it produce pain then action is wrong.

They are of two types:

a. Ethical egoism: If the consequences of an action produces happiness of an individual then action is right.

b. Utilitarianism or Altruistic Hedonism: If the consequence of an action produces happiness for maximum number of people then action is right and if produce pain then it is a wrong action.

14.7.2.1 Utilitarianism

The term “utilitarianism” is said to be propounded by Jeremy Bentham and John Stuart Mill. According to this theory, an action is right if it produces maximum happiness for the maximum number of people and an action is wrong if it produces pain. In this theory, consequence of an action is important, motive and intention are not important. For, Jeremy Bentham all kinds of happiness are qualitatively and quantitatively is same. But for J.S.Mill, there are two levels of happiness: Lower Level (bodily pleasure, momentary pleasure) and Higher level (contemplation, contentment, self-realization).

14.7.3 Virtue Ethics

Aristotle is considered as the most prominent philosopher of this ethical theory. This is one of the oldest theories where virtues are acquired habits that help us to lead a rational life. Virtues are defined as acquired habits to exhibit a proper balance between two extremes (excess and deficiency) of an action- finding a means between two extremes called *Golden means*. According to this theory, an action is right if what a virtuous person would have done in a similar situation. For example:

Virtue	Excess	Golden Mean	Deficient
Truthfulness	Revealing all in violation of fact and confidentiality	Necessary and sufficient, to proper person	Secretive
Courage	Bold	Firm and humble	Cowardice

14.7.4 Case Study

Let us consider a case to see how these ethical theories are useful in deciding what action is to be taken in a given situation:

Mr. Joseph is a successful businessman and his company named 'JK Constructions' got a project of dam construction on Neelkanth River. The salient features of the dam are as follows:

Benefits: Irrigation facility to 1200 villages, drinking water availability to 2450 villages, power generation of 1400 MW.

Download of the project: 120 villages submerged, 1500 families affected, 30,000 hectares of land submerged of which 14,585 hectares are forest land.

If we consider the various ethical theories to justify the construction of such mega project, we face many difficulties. If we consider duty ethics to justify the construction of such dam, then duty ethics does not help because both parties have duties to respect the right of others. If we consider this project from the utilitarianism point of view, there are plenty of benefits in terms of power generation, irrigation and drinking water. However, in this project the large

number of people will be displaced and they will be deprived of their livelihood. It will also cause damage to the ecosystem. While from the point of view of general public good, this project may be adopted and the issues of both rehabilitation efforts for people and efforts to minimize damage to the ecosystem must be taken up seriously and it should be completed also. If we consider this project from the point of view of rights theory, there is definitely a conflict of rights of those benefited and those affected. Morally, the project has a right to exist only when the rights of people affected are taken care of.

14.8 ROLE OF CORPORATE SOCIAL RESPONSIBILITY (CSR)

Corporate social responsibility is basically related to operating a business in such a manner that accounts for the social and environmental impact created by the business. It is a commitment towards the responsible business practices with their impact on the society and to report on regular basis to show the progress made towards accomplishing business objectives. CSR reports cover a wide range of issues such as governance, worker safety and welfare, ethical conduct, purchase and supply chain operations, environmental impact, energy audit. Today CSR efforts also focus on social, economical and environmental sustainability. It is a kind of international private business self-regulation which aims to work towards the societal goals of a philanthropic, activist or charitable nature under ethically-oriented practices and conduct.

Types of Corporate Social Responsibility are as follows: environmental, philanthropic, ethical and economic responsibility.

1. Environmental Responsibility: According to this, the organization must work responsibly towards the environment following the principle of sustainable development. There are several ways to embrace this responsibility like reducing pollution, greenhouse effects, increasing reliance on renewable energy, sustainable resources etc

2. Ethical Responsibility: This aim to achieve fair treatment among all employees, stakeholders (includes leadership, suppliers, investors, manufacturers, customers). There should not be any discrimination at workplace on the bases of caste, creed, religion, nationality.

3. Philanthropic Responsibility: This responsibility aims to actively make the world and society a better place to live. It involves donating funds, good services to another organization.

4. Economic Responsibility: It is the practice towards the healthy finance of the organization. The end goal is to earn profits without unethical conduct.

Many industries all over the world are well aware of the importance of CSR. Many organizations have shown recommendable work in their performing their duties towards people, planet and profit.

Community Investment: Based on their heritage and business, the company focuses on the following major areas:

- Strengthening communities
- Improving opportunities for women and minorities
- Helping children and youth to utilize their potential.

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you mean by corporate social responsibility?

14.9 LET US SUM UP

Business ethics is an important branch of applied ethics where moral principles act as guidelines for business conduct and its transactions. The need of ethical conduct in every business is important because it help in earning profits under the ethical guidelines, keep workers safe, help trade and interactions between companies remain honest and safe and

generally promote principle of equity and fairness in businesses. The reason why business ethics is important can be seen every day on the news where a lot of business scams are heard on daily bases. In recent times we have seen that many corporations are held accountable for unethical and questionable behavior and their brand image is tarnished. So here business ethics enable us make responsible decisions towards public good, public health and public welfare. It helps us in maintaining dignity and honor of the business entity and organization. Business ethics is meant to protect the various social groups of consumers, employees, small businesses, governments, shareholders etc. in an organization. Business ethics provides a basic framework for business which works towards the social, economical, cultural, legal development of the society. Business is basically an organization that includes various social and economic rules and regulations. It covers a person's criteria and behavior guidelines, such as how to behave yourself, how to improve yourself, how to conduct ourselves in business decisions without compromising our core values in our life. Basically business ethics is not against making a real or fair profit. It is only against the profits that we attain through fraud and by cheating the consumers. It supports business activities through fair and legal ways.

14.10 KEY WORDS

Business Ethics: Business ethics is the study of how a business should be conducted under ethical and moral guidelines. It is the study ethical principles which help us in resolving ethical dilemmas and controversial situations in business activity.

Corporate Governance: Corporate governance can be defined as the combination of laws, rules, and operations, processes by which businesses are regulated, monitored, operated and controlled. It is concerned with how the governing board authority manages the business throughout the organization. It works for the benefit of every person that is involved directly or indirectly within the organization which ensures that the enterprise follow formal laws, ethical standards and reasonable and acceptable practices.

Corporate Social Responsibility: Corporate social responsibility is an important form of management concept whereby business organizations and companies integrate social and environmental concerns in their business operations and interactions with their stakeholders. It is a company's commitment to responsibly manage the social, economical and environmental impact of its operations within the boundaries of public expectations. It

describes how a company gives back or improves the community. CSR is a very important factor in business world because it not only increases business, profits and revenue but they also promote change and progress throughout the world.

14.11 FURTHER READINGS AND REFERENCES

- Das, S. *Politics, Ethics and Social Responsibility of Business*. Shiv Das and Sons, 2017.
- Frenando, A.C. *Business Ethics and Corporate Governance*. Pearson Education India, 2012.
- Ghosh, B.N. *Business Ethics and Corporate Governance*. Mcgraw Hill Education, 2017.
- Subramanian. R. *Professional Ethics Includes Human Values*. Oxford University Press, 2017.
- Velasquez, M.G. *Business Ethics: Concepts and Cases*. Pearson Education India, 2016.

14.12 ANSWERS TO CHECK YOUR PROGRESS

Check your progress I

1. Business ethics can be defined as an ethical code of conduct and principles that govern decisions and actions within the business organization. In business world, the organization sets a standard of morality for guiding the actions and justifies the decisions in business. It examines ethical issues that may arise in the business environment.

2. The role of business ethics in society is very important for a variety of reasons. It keeps the business to work within the boundaries of the ethical conduct and laws. It also ensures that they aren't committing any crimes against their customers, stakeholders, employees, staffs, workers. It helps the business entity and businessmen to achieve success and earn profits in the society. Business ethics also build trust between the business companies and the consumers. Following ethical code of conduct in business is also highly appealing to investors and shareholders. High ethical performances by the employee not only help in

achieving profits but also attaining integrity as an individual. Overall, the role of business ethics plays a crucial role in achieving trustworthiness, respect, fairness and integrity among employees, workers, businessmen and consumers. The ethical conduct is not only important in business but also in all aspects of life. It is an essential part for the foundation of civilized society. A business or society that lacks ethical behavior is bound to fail sooner or later.

Check your progress II

1. The corporate governance is very important in business world because it play a crucial and essential role in development and success of any organization. The good corporate governance practices offer many lessons to corporate world. It helps in increasing shareholder wealth and safeguarding the interests of other stakeholders. Corporate governance provides a well-defined and enforced structure that works for the benefit of employees, employers, customers under the guidance of ethical code of conduct. Without a good corporate governance, the financial health of a any business organization could be damaged soon or later.

2. The essential characteristics of business ethics are as follows:

a. **Respect for employees:** A true and a good businessman recognize his employees' contribution to the success and development of the business. b. **Core values:** Every organization has a set of ethical codes to achieve success in business and to enhance the image of business organization in public. c. **Integrity:** Integrity is very important to maintain both at personal and professional life. There will be a situation where you will be tempted to compromise your value for profit, but we should do just the opposite if we want to be an ethical businessman. d. **Safe working environment:** An ethical businessman must not only respect his employees but also provide a safe working environment for the people who work for them. e. **Voluntary:** The businessmen must follow business ethics voluntarily as self-love. It must not be compelled by law and force.

Check your progress III

1. Corporate social responsibility is an important concept in business world where companies merge social, moral, economical and environmental concerns in their business operations and interactions with their stakeholders. It is the idea that a business has a responsibility towards the society. It is meant to protect the environment, to create a work environment that enhances employees' quality of life.